



City of Santa Barbara California

PLANNING COMMISSION STAFF REPORT

REPORT DATE: August 13, 2009
AGENDA DATE: August 20, 2009
PROJECT ADDRESS: 1931 El Camino De La Luz (MST2009-00039/CDP2009-00001)
TO: Planning Commission
FROM: Planning Division, (805) 564-5470
Danny Kato, Senior Planner *AKD for DYK*
Suzanne Riegle, Assistant Planner *SR*

I. PROJECT DESCRIPTION

This is an appeal of the approval of a Coastal Development Permit by the Staff Hearing Officer. The site contains an existing 1,731 square foot two-story single-family residence and garage. The proposed project consists of the proposal to construct an attached 361 net square foot, two-car carport addition, and to permit the as-built conversion of the existing garage to habitable space, in order to abate violations listed in enforcement case #ENF2008-01423. Additionally, a detached accessory building is being relocated to observe a five-foot separation from the main building and has been located outside of the required setbacks.

II. REQUIRED APPLICATIONS

The discretionary applications required for this project is a Coastal Development Permit (CDP2008-00022) to allow an addition which is greater than 10% of the floor area within the Appealable Jurisdiction of the City's Coastal Zone (SBMC §28.44).

III. RECOMMENDATION

Staff continues to support the project and believes that the proposed project conforms to the City's Zoning and Building Ordinances and policies of the General and Local Coastal Plans and that the size and massing of the project is consistent with the surrounding neighborhood.

Therefore, Staff recommends that the Planning Commission deny the appeal and approve the project making the finding outlined in Section V of this report, and subject to the revised conditions of approval in Staff Hearing Officer Resolution # 045-09 Exhibit C.

IV. DISCUSSION

A. **PROPOSED PROJECT**

A comprehensive analysis of the proposed project, including consistency with the Zoning Ordinance, Local Coastal Plan, and General Plan, as well as environmental review is provided in the attached Staff Hearing Officer Staff Report (Exhibit A)

B. **STAFF HEARING OFFICER ACTION**

On June 3, 2009, the Staff Hearing Officer (SHO) held a public hearing and approved the project with revised conditions to shorten the depth and height of the proposed carport, meeting minutes and resolution attached as Exhibit B. At the time of the hearing, the SHO conditioned the project that the maximum height of the carport measured at the existing wall of the house shall not exceed 9' 6" in height. The driveway does have a slight slope and therefore it was recognized that the carport structure should be constructed to project out from the residence and it would result in approximately 1' - 1' 6" additional height at the easterly edge of the carport.

C. **APPEAL**

On June 11, 2009, an appeal was filed by Bruce and Janice Taylor and is attached as Exhibit D. The neighbors have appealed the approval of the project for the following reasons: The project interfered with a public blue water view and therefore violates the Public Resource Code Section 30251; the project is not visually compatible with the character of the neighborhood and therefore violates the Public Resources Code Section 30251; the City of Santa Barbara Local Coastal Plan violates the Visual Resource policies of the Coastal Act, because there are no provisions for the protection of blue water views from public roads nearest the sea; and the story poles did not appear to fully and accurately demonstrate the project depicted in the plans and specifications, and therefore not adequate to allow for a thorough analysis of Coastal Act issues.

D. **ISSUES**

1. **Correction to June 3, 2009 Staff Hearing Officer Report regarding General Plan Land Use Element:** In section V.A., paragraph 1, on page 3 of the June 3, 2009 report, it was incorrectly stated that the project consisted of the removal of an as-built deck and patio and revegetation of a coastal bluff. The property is not a bluff top property and the project consists of the legalization of an as-built conversion of a garage to habitable space and the construction of a two-car carport. This error was discussed at the hearing before the SHO.
2. **Local Coastal Plan Consistency:** The City of Santa Barbara Local Coastal Plan has been certified by the California Coastal Commission. In order to certify a local coastal plan, the California Coastal Commission must find that the plan complies with the Coastal Act. The City's treatment of visual resources within the City's Local Coastal Plan has been determined by the Coastal

Commission to conform to the Coastal Act. The City's Local Coastal Plan and implementing documents contain reference maps and materials which were consulted during the review of the project. The project site is not located in an area designated as an area of protection of the Local Coastal Plan Visual Resources Map. The existing view towards the ocean is obstructed by the existing fence and vegetation on the site, and is minimized to a view down an existing shared driveway across a bluff top lot with no street frontage. The impact of the carport addition on a site that is already developed with a residence in a location that is not identified as a visual resource in the Local Coastal Plan does not violate Public Resources Code section 30251. The applicant installed story poles (photographs attached as Exhibit D) prior to the Staff Hearing Officer's site visit to provide a visual aid used in conjunction with the site plan and elevations to approximate the size and location of the proposed carport.

3. **General Plan/Conservation Element:** Staff believes that the proposed project is consistent with the General Plan because the project would not substantially modify the natural topography of the site, would improve the drainage condition, the project design eliminates the need for grading, reduces the need for additional impervious surfaces, and re-uses existing driveway access for parking.
4. **Design Review:** Due to the height and location of the carport addition, the project was exempted from requiring Single Family Design Board approval for the following reasons: a) The project is one-story in height and less than 17 feet. b) The total development of the site is less than 4,000 square feet. c) Although the project site is located in the Hillside Design District, the lot has an average slope of less than 20%. d) The house is less than 50 years of age and is not considered to be of historical significance.
5. **Parking Design Waiver:** The appellant does not think that a parking design waiver should have been granted for the carport configuration and back up maneuver areas to be less than is called for in the parking design standards. The Ordinance allows for a waiver of the parking design standards at the discretion of the Transportation Manager. Waivers of the design standards are used for various reasons to allow for parking designs to be approved when the existing functioning conditions meet the intent of the design standards and meet zoning ordinance requirements for parking. Some uses of design waivers include a garage which is slightly smaller than required but that can still meet the required parking needs, reduced back-up distances where existing constraints exist, or alternate driveway configurations to reduce paving while maintaining functional vehicle access to the site. In this instance a design waiver was granted to allow for the re-use of existing shared driveway and parking area. The area is currently used to park two vehicles. The dimension of the back up distance to

allow for a vehicle to turnaround is less than outlined in the design standards but due to the length of the driveway used to access this residence an on-site turnaround area is not required. Staff reviewed how the area functioned and felt that it adequately met the intent of the parking design standards.

6. **SHO Carport Height Condition D.1.** The SHO incorporated a condition of approval to restrict the building height of the carport. The condition was not put in place by the SHO to make the project comply with Coastal policies but to attempt to alleviate concerns raised by the appellant. The applicant has provided a site plan and elevations (Exhibit E attached) the plans showing compliance with the SHO condition of approval, page 3, as well as the applicants preferred option, page 4 of the plan set. The applicant had requested a substantial conformance determination be made regarding the preferred alternatives compliance with the intent of the condition imposed in condition D.1, however, an appeal was filed. The applicant wishes to discuss the revision of condition D.1 to meet the conditions shown on page 4 of the plans with the Planning Commission. The applicant feels that this solution is better integrated with the architecture and matches the existing plate height. The overall height is approximately one foot taller than Condition D.1 allowed and is approximately one foot shorter than the original proposal reviewed by the Staff Hearing Officer.

E. ENVIRONMENTAL REVIEW

Staff has determined that the project qualifies for an exemption from further environmental review under Section 15301 (small additions to existing structures) of the California Environmental Quality Act (CEQA) Guidelines.

V. FINDINGS

The Planning Commission finds the following:

COASTAL DEVELOPMENT PERMIT (SBMC §28.44)

The project is consistent with the policies of the California Coastal Act, the City's Local Coastal Plan, all implementing guidelines, and applicable provisions of the Code. The conversion of an existing garage to additional floor area in the house and the addition of a carport to provide the required covered parking is a modest expansion to an existing single-family residence. The project is consistent with the policies for the following reasons: The expansion does not result in an increase in density and would be compatible with the existing neighborhood; the project does not increase the amount of impervious surface on the lot minimizing impacts on drainage related issues; the project would not impact views from identified public view corridors; the project site is not currently or proposed to be a public access point; and the project is not located on an archaeologically sensitive site.

Planning Commission Staff Report

1931 El Camino De La Luz (MST2009-00039/CDP2009-00001)

August 13, 2009

Page 5

Exhibits:


- A. Staff Hearing Officer Staff Report, June 3, 2009 with attachments**
- B. Staff Hearing Officer Minutes from June 3, 2009**
- C. Staff Hearing Officer Resolution Number 045-09**
- D. Appellant's Letters, dated June 11, 2009**
- E. Story pole photographs**
- F. Site Plan and Elevations**
- G. Public Comment Letters**



City of Santa Barbara California

STAFF HEARING OFFICER STAFF REPORT

REPORT DATE: May 27, 2009
AGENDA DATE: June 3, 2009
PROJECT ADDRESS: 1931 El Camino De La Luz (MST2009-00039/CDP2009-00001)

TO: Staff Hearing Officer
FROM: Planning Division, (805) 564-5470
Danny Kato, Senior Planner
Suzanne Johnston, Assistant Planner 

I. PROJECT DESCRIPTION

The site contains an existing 1,731 square foot two-story single-family residence and garage. The proposed project consists of the proposal to construct an attached 361 net square foot, two-car carport addition, and to permit the as-built conversion of the existing garage to habitable space, in order to abate violations listed in enforcement case #ENF2008-01423. Additionally, a detached accessory building is being relocated to observe a five-foot separation from the main building and has been located outside of the required setbacks.

II. REQUIRED APPLICATIONS

The discretionary applications required for this project is a Coastal Development Permit (CDP2008-00022) to allow an addition which is greater than 10% of the floor area within the Appealable Jurisdiction of the City's Coastal Zone (SBMC §28.44).

III. RECOMMENDATION

The proposed project conforms to the City's Zoning and Building Ordinances and policies of the General and Local Coastal Plans. Additionally, the size and massing of the project are consistent with the surrounding neighborhood. Therefore, Staff recommends that the Planning Commission approve the project, making the findings outlined in Section VII of this report, and subject to the conditions of approval in Exhibit A.



APPLICATION DEEMED COMPLETE: April 20, 2009
DATE ACTION REQUIRED: June 19, 2009

I. SITE INFORMATION AND PROJECT STATISTICS

A. SITE INFORMATION

Applicant:	Mark Morando	Property Owner:	Tom Thomas
Parcel Number:	045-100-081	Lot Area:	12,000 sq. ft. (.28 acres)
General Plan:	Residential	Zoning:	E-3/SD-3
Existing Use:	Residential	Topography:	6%, flat
Adjacent Land Uses:			
North - Residential		East - Residential	
South - Pacific Ocean		West - Residential	

B. PROJECT STATISTICS

	Existing	Proposed
Living Area	1,236 sq. ft.	1,731 sq. ft.
Covered Parking	495 sq. ft (as-built conversion to habitable)	361 sq. ft

IV. ZONING ORDINANCE CONSISTENCY

Standard	Requirement/ Allowance	Existing	Proposed
Setbacks			
-Front	20'	20'	20'
-Interior	6'	6'	6'
-Rear	6'	6'	6'
Parking	2 covered	2 covered	2 covered
Open Yard	1,250 sq. ft.	> 1,250 sq. ft	> 1,250 sq. ft
Lot Coverage			
-Building	N/A	1,887 15.7%	2,248 18.7%
-Paving/not in easement	N/A	1,258 10.5%	897 7.5%
-Paving/Easement	N/A	1,566 13.1%	1,566 13.1%
-Landscaping	N/A	7,289 60.7%	7,289 60.7%

The proposed project is consistent with the regulations of the E-3, single-family residence zone related to building height, setbacks, solar access, open yard requirements and parking.

V. ISSUES

A. GENERAL AND LOCAL COASTAL PLAN CONSISTENCY

The proposed project is located in the West Mesa neighborhood, as identified in the Land Use Element of the General Plan and has a land use designation of residential, five units per acre. This area is recognized as uniformly developed with small-lot, single-family residences with some multi-family developments near Oceano and Barranca Avenues. The project consists of the removal of an as-built patio and deck structure and the slope repair and revegetation at the coastal bluff. The existing single-family residence is to remain unaltered at this time. The project does not change the density with regard to the General Plan Land Use designation.

The project site is also located within the Coastal Zone and thus must be found consistent with the City's Local Coastal Plan (LCP), which implements the California Coastal Act. The project is in Component 2 of the Local Coastal Plan (LCP), which is located between Arroyo Burro Creek and the westerly boundary of Santa Barbara City College. The LCP states that the primary land use of this area is single-family residential, and has very limited additional development potential. The major coastal issues identified for Component Two include seacliff retreat and flooding hazards; public access, both vertically and laterally along the bluffs, overuse of public facilities; protection of recreational access; protection of archaeological resources and the maintenance of existing coastal views and open space.

The scenic and visual qualities of coastal areas should be considered and protected as a resource of public importance (Coastal Act Section 30251). Projects along the coast should be sited and designed to protect views to and along the ocean and scenic coastal areas and to minimize the alteration of natural landforms. The proposed development is located on or along the coastal bluff and does not impact major public vistas. The project site was not found to be archaeologically sensitive. The site does not serve as a public facility, recreation area, or coastal access point. The project legalizes the as-built conversion of a garage to habitable area and provides the required off-street parking for a single-family residence in a newly constructed carport over an existing paved driveway. The project will not result in the increase of impervious surfaces.

The project provides a minor addition of floor area to a modest home and the required parking for the single-family residence. The project has been designed to reuse the existing driveway and paving and meets the zoning ordinance requirements with minimal impact to the environmental setting. The project will meet the goals of the Local Coastal Plan, the Coastal Act, and the California Code of Regulations. Therefore, the project is consistent with the applicable policies of the California Coastal Act and Local Coastal Plan, and all implementing guidelines.

B. ENVIRONMENTAL REVIEW

Staff has determined that the project qualifies for an exemption from further environmental review under Section 15301 (small additions to existing structures) of the California Environmental Quality Act (CEQA) Guidelines.

VI. FINDINGS

COASTAL DEVELOPMENT PERMIT (SBMC §28.44)

The project is consistent with the policies of the California Coastal Act, the City's Local Coastal Plan, all implementing guidelines, and applicable provisions of the Code. The conversion of an existing garage to additional floor area in the house and the addition of a carport to provide the required covered parking is a modest expansion to an existing single-family residence. The project is consistent with the policies for the following reasons: The expansion does not result in an increase in density and would be compatible with the existing neighborhood; the project does not increase the amount of impervious surface on the lot minimizing impacts on drainage related issues; the project would not impact views from public view corridors; the project site is not currently or proposed to be a public access point; and the project is not located on an archaeologically sensitive site.

Exhibits:

- A. Conditions of Approval
- B. Site Plan and Elevations.
- C. Applicant's letter, dated January 21, 2009

STAFF HEARING OFFICER CONDITIONS OF APPROVAL

NO MAP
1931 EL CAMINO DE LA LUZ
COASTAL DEVELOPMENT PERMIT
JUNE 3, 2009

In consideration of the project approval granted by the Staff Hearing Officer and for the benefit of the owner(s) and occupant(s) of the Real Property, the owners and occupants of adjacent real property and the public generally, the following terms and conditions are imposed on the use, possession, and enjoyment of the Real Property:

- A. **Recorded Conditions Agreement.** Prior to the issuance of any Public Works permit or Building permit for the project on the Real Property, the Owner shall execute a written instrument, which shall be reviewed as to form and content by the City Attorney, Community Development Director and Public Works Director, recorded in the Office of the County Recorder, and shall include the following:
1. **Approved Development.** The development of the Real Property approved by the Staff Hearing Officer on is limited to a Coastal Development Permit to allow the construction of an attached 380 square foot, two-car carport addition to an existing 1,731 square foot two-story single family residence and permit an as-built conversion of the existing 495 square foot attached garage to habitable floor area and the improvements shown on the site plan signed by the Staff Hearing Officer on said date and on file at the City of Santa Barbara.
 2. **Uninterrupted Water Flow.** The Owner shall provide for the uninterrupted flow of water onto the Real Property including, but not limited to, swales, natural watercourses, conduits and any access road, as appropriate.
 3. **Recreational Vehicle Storage Limitation.** No recreational vehicles, boats, or trailers shall be stored on the Real Property.
 4. **Storm Water Pollution Control and Drainage Systems Maintenance.** Owner shall maintain the drainage system and storm water pollution control devices intended to intercept siltation and other potential pollutants (including, but not limited to, hydrocarbons, fecal bacteria, herbicides, fertilizers, etc.) in a functioning state (and in accordance with the Operations and Maintenance Procedure Plan prepared in accordance with the Storm Water Management Plan BMP Guidance Manual). Should any of the project's surface or subsurface drainage structures or storm water pollution control methods fail to capture, infiltrate, and/or treat water, or result in increased erosion, the Owner shall be responsible for any necessary repairs to the system and restoration of the eroded area. Should repairs or restoration become necessary, prior to the commencement of such repair or restoration work, the applicant shall submit a repair and restoration plan to the Community Development Director to determine if an amendment or a new Building Permit and Coastal Development Permit is required to authorize such work. The Owner is responsible for the adequacy of any project-related drainage facilities and for the continued maintenance thereof in a manner

that will preclude any hazard to life, health, or damage to the Real Property or any adjoining property.

- B. **Public Works Requirements Prior to Building Permit Issuance.** The Owner shall submit the following, or evidence of completion of the following to the Public Works Department for review and approval, prior to the issuance of a Building Permit for the project.
1. **Water Rights Assignment Agreement.** The Owner shall assign to the City of Santa Barbara the exclusive right to extract ground water from under the Real Property in an "Agreement Assigning Water Extraction Rights." Engineering Division Staff will prepare said agreement for the Owner's signature.
- C. **Community Development Requirements with Building or Public Works Permit Application.** The following shall be submitted with the application for any Building or Public Works permit and finalized prior to Building or Public Works Permit issuance:
1. **Contractor and Subcontractor Notification.** The Owner shall notify in writing all contractors and subcontractors of the site rules, restrictions, and Conditions of Approval. Submit a copy of the notice to the Planning Division.
- D. **Building Permit Plan Requirements.** The following requirements/notes shall be incorporated into the construction plans submitted to the Building and Safety Division for Building permits.
1. **Grading Plan Requirement for Archaeological Resources.** The following information shall be printed on the grading plans:
- If archaeological resources are encountered or suspected, work shall be halted or redirected immediately and the Planning Division shall be notified. The archaeologist shall assess the nature, extent, and significance of any discoveries and develop appropriate management recommendations for archaeological resource treatment, which may include, but are not limited to, redirection of grading and/or excavation activities, consultation and/or monitoring with a Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List, etc.
- If the discovery consists of possible human remains, the Santa Barbara County Coroner shall be contacted immediately. If the Coroner determines that the remains are Native American, the Coroner shall contact the California Native American Heritage Commission. A Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Planning Division grants authorization.
- If the discovery consists of possible prehistoric or Native American artifacts or materials, a Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all

further subsurface disturbance in the area of the find. Work in the area may only proceed after the Planning Division grants authorization.

2. **Post-Construction Erosion Control and Water Quality Plan.** Provide an engineered drainage plan that addresses the existing drainage patterns and leads towards improvement of the quality and rate of water run-off conditions from the site by capturing, infiltrating, and/or treating drainage and preventing erosion. The Owner shall employ passive water quality methods, such as bioswales, catch basins, or storm drain on the Real Property, or other measures specified in the Erosion Control Plan, to intercept all sediment and other potential pollutants (including, but not limited to, hydrocarbons, fecal bacteria, herbicides, fertilizers, etc.) from the parking lot areas and other improved, hard-surfaced areas prior to discharge into the public storm drain system, including any creeks. All proposed methods shall be reviewed and approved by the Public Works Department and the Community Development Department. Maintenance of these facilities shall be provided by the Owner, as outlined in Condition A.4, above, which shall include the regular sweeping and/or vacuuming of parking areas and drainage and storm water methods maintenance program.
3. **Conditions on Plans/Signatures.** The final Staff Hearing Officer Resolution shall be provided on a full size drawing sheet as part of the drawing sets. Each condition shall have a sheet and/or note reference to verify condition compliance. If the condition relates to a document submittal, indicate the status of the submittal (e.g., Archaeologist contract submitted to Community Development Department for review). A statement shall also be placed on the above sheet as follows: The undersigned have read and understand the above conditions, and agree to abide by any and all conditions which is their usual and customary responsibility to perform, and which are within their authority to perform.

Signed:

Property Owner		Date
Contractor	Date	License No.
Architect	Date	License No.
Engineer	Date	License No.

- E. **Construction Implementation Requirements.** All of these construction requirements shall be carried out in the field by the Owner and/or Contractor for the duration of the project construction.

1. **Construction Parking/Storage/Staging.** Construction parking and storage shall be provided as follows:

- a. During construction, free parking spaces for construction workers and construction shall be provided on-site or off-site in a location subject to the approval of the Public Works Director. Construction workers are prohibited from parking within the public right-of-way, except as outlined in subparagraph b. below.
 - b. Parking in the public right of way is permitted as posted by Municipal Code, as reasonably allowed for in the 2006 Greenbook (or latest reference), and with a Public Works permit in restricted parking zones. No more than three (3) individual parking permits without extensions may be issued for the life of the project.
 - c. Storage or staging of construction materials and equipment within the public right-of-way shall not be permitted, unless approved by the Transportation Manager.
2. **Construction Best Management Practices (BMPs).** Construction activities shall address water quality through the use of BMPs, as approved by the Building and Safety Division.
3. **Construction Contact Sign.** Immediately after Building permit issuance, signage shall be posted at the points of entry to the site that list the contractor(s) name, contractor(s) (telephone number(s), work hours, site rules, and construction-related conditions, to assist Building Inspectors and Police Officers in the enforcement of the conditions of approval. The construction contact phone number shall include an option to contact a person instead of a machine in case of emergency. The font size shall be a minimum of 0.5 inches in height. Said sign shall not exceed six feet in height from the ground if it is free-standing or placed on a fence. It shall not exceed 24 square feet if in a multi-family or commercial zone or six square feet if in a single family zone.
4. **Tree Protection.** All trees not indicated for removal on the site plan shall be preserved, protected, and maintained, in accordance with the Tree Protection Plan, if required, and any related Conditions of Approval, as follows.
 - a. **Existing Tree Preservation.** The existing tree(s) shown on the approved Site Plan to be saved shall be preserved and protected and fenced three feet outside the dripline during construction.
5. **Construction Equipment Maintenance.** All construction equipment, including trucks, shall be professionally maintained and fitted with standard manufacturers' muffler and silencing devices.
6. **Graffiti Abatement Required.** Owner and Contractor shall be responsible for removal of all graffiti as quickly as possible. Graffiti not removed within 24 hours of notice by the Building and Safety Division may result in a Stop Work order being issued, or may be removed by the City, at the Owner's expense, as provided in SBMC Chapter 9.66.

7. **Unanticipated Archaeological Resources Contractor Notification.** Prior to the start of any vegetation or paving removal, demolition, trenching or grading, contractors and construction personnel shall be alerted to the possibility of uncovering unanticipated subsurface archaeological features or artifacts associated with past human occupation of the parcel. If such archaeological resources are encountered or suspected, work shall be halted immediately, the City Environmental Analyst shall be notified and the applicant shall retain an archaeologist from the most current City Qualified Archaeologists List. The latter shall be employed to assess the nature, extent and significance of any discoveries and to develop appropriate management recommendations for archaeological resource treatment, which may include, but are not limited to, redirection of grading and/or excavation activities, consultation and/or monitoring with a Barbareño Chumash representative from the most current City qualified Barbareño Chumash Site Monitors List, etc.

If the discovery consists of possible human remains, the Santa Barbara County Coroner shall be contacted immediately. If the Coroner determines that the remains are Native American, the Coroner shall contact the California Native American Heritage Commission. A Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Environmental Analyst grants authorization.

If the discovery consists of possible prehistoric or Native American artifacts or materials, a Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Environmental Analyst grants authorization.

- F. **Prior to Certificate of Occupancy.** Prior to issuance of the Certificate of Occupancy, the Owner of the Real Property shall complete the following:
1. **Repair Damaged Public Improvements.** Repair any damaged public improvements (curbs, gutters, sidewalks, roadways, etc.) subject to the review and approval of the Public Works Department per SBMC §22.60.090. Where tree roots are the cause of the damage, the roots shall be pruned under the direction of a qualified arborist.
 2. **Existing Street Trees.** Submit a letter from a qualified arborist, verifying that the existing street tree(s) have been properly pruned and trimmed.
- G. **Litigation Indemnification Agreement.** In the event the Planning Commission approval of the Project is appealed to the City Council, Applicant/Owner hereby agrees to defend the City, its officers, employees, agents, consultants and independent contractors ("City's Agents") from any third party legal challenge to the City Council's denial of the appeal and approval of the Project, including, but not limited to, challenges filed pursuant to the California Environmental Quality Act (collectively "Claims"). Applicant/Owner further

agrees to indemnify and hold harmless the City and the City's Agents from any award of attorney fees or court costs made in connection with any Claim.

Applicant/Owner shall execute a written agreement, in a form approved by the City Attorney, evidencing the foregoing commitments of defense and indemnification within thirty (30) days of the City Council denial of the appeal and approval of the Project. These commitments of defense and indemnification are material conditions of the approval of the Project. If Applicant/Owner fails to execute the required defense and indemnification agreement within the time allotted, the Project approval shall become null and void absent subsequent acceptance of the agreement by the City, which acceptance shall be within the City's sole and absolute discretion. Nothing contained in this condition shall prevent the City or the City's Agents from independently defending any Claim. If the City or the City's Agents decide to independently defend a Claim, the City and the City's Agents shall bear their own attorney fees, expenses, and costs of that independent defense.

NOTICE OF COASTAL DEVELOPMENT PERMIT TIME LIMITS:

Pursuant to Section 28.44.230 of the Santa Barbara Municipal Code, work on the approved development shall commence within two years of the final action on the application, unless a different time is specified in the Coastal Development Permit. Up to three (3) one-year extensions may be granted by the Community Development Director in accordance with the procedures specified in Subsection 28.44.230.B of the Santa Barbara Municipal Code.

VICINITY MAP

SHEET INDEX	
SITE PLAN, STAIRS FLOOR PLANS ELEVATIONS	A-1 A-2 A-3

PROJECT DATA

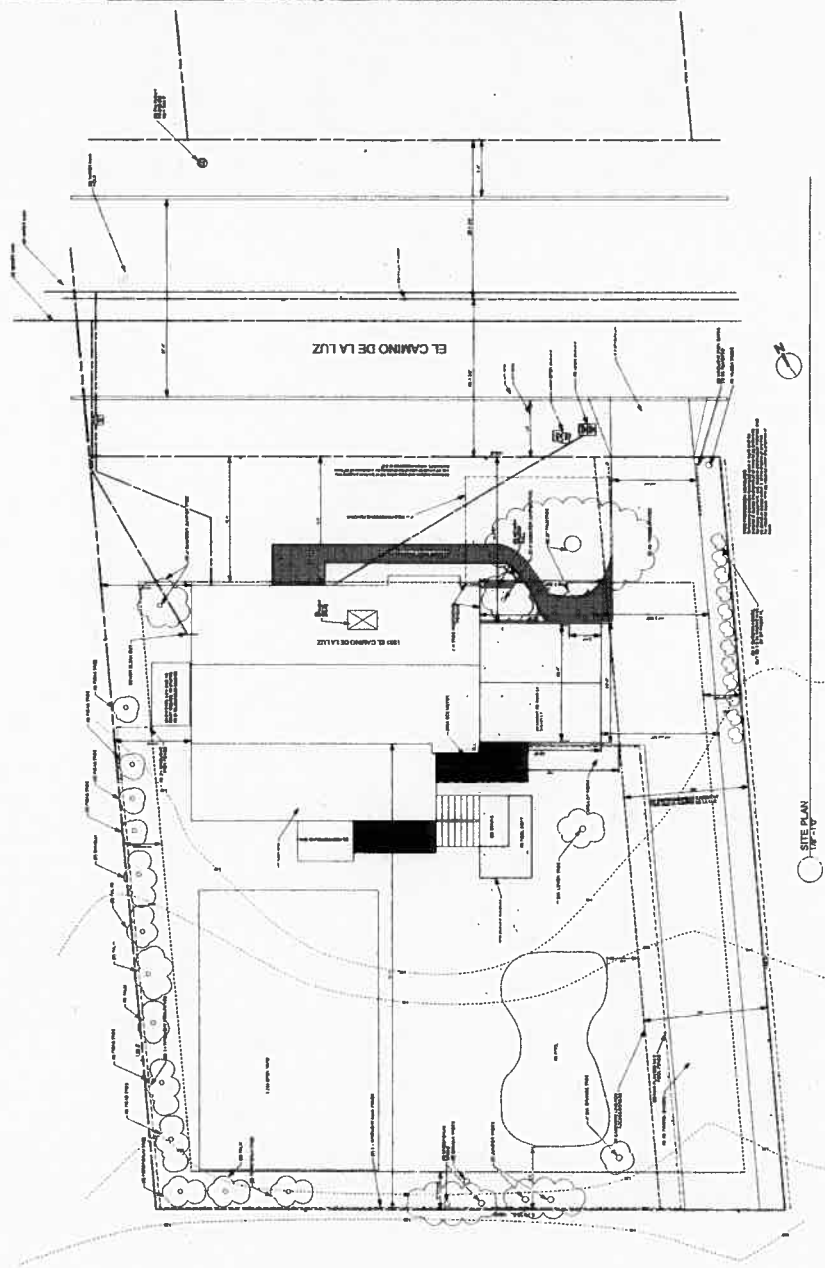
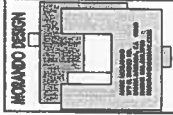
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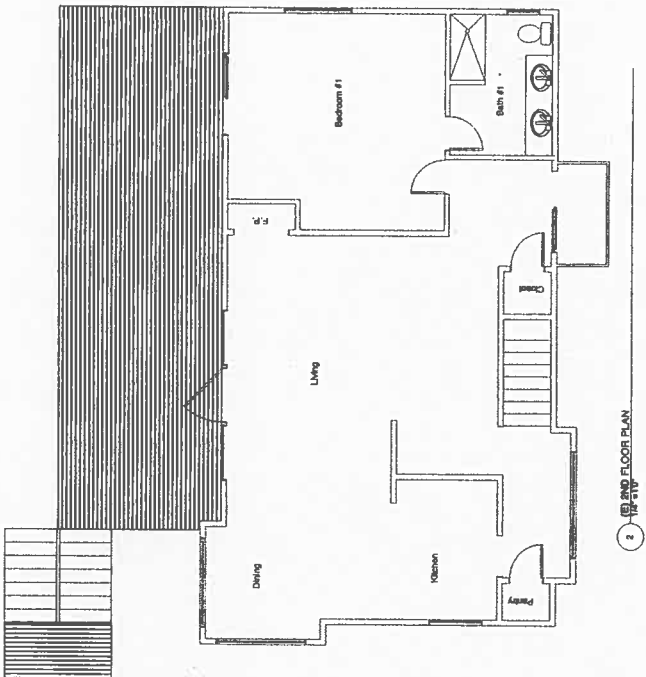
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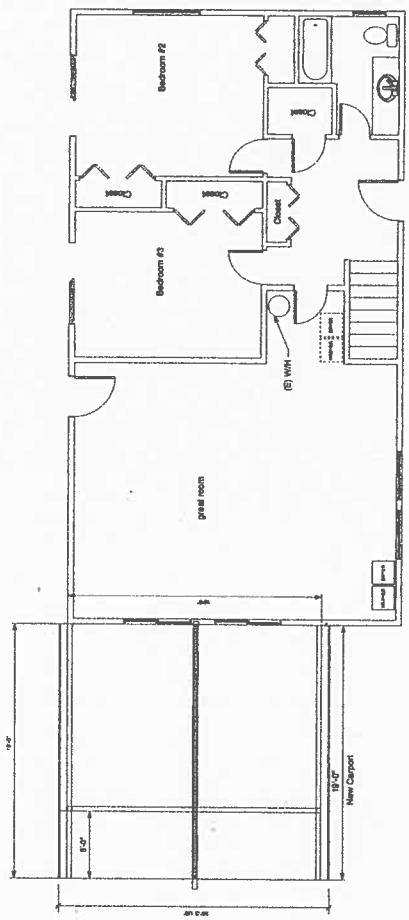
REVISION

DATE 1/11/09
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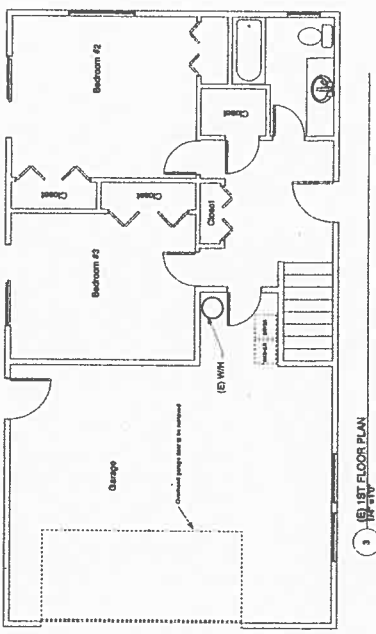
2 of 3 sheets



2 2ND FLOOR PLAN



3 3RD FLOOR CARPORT PLAN



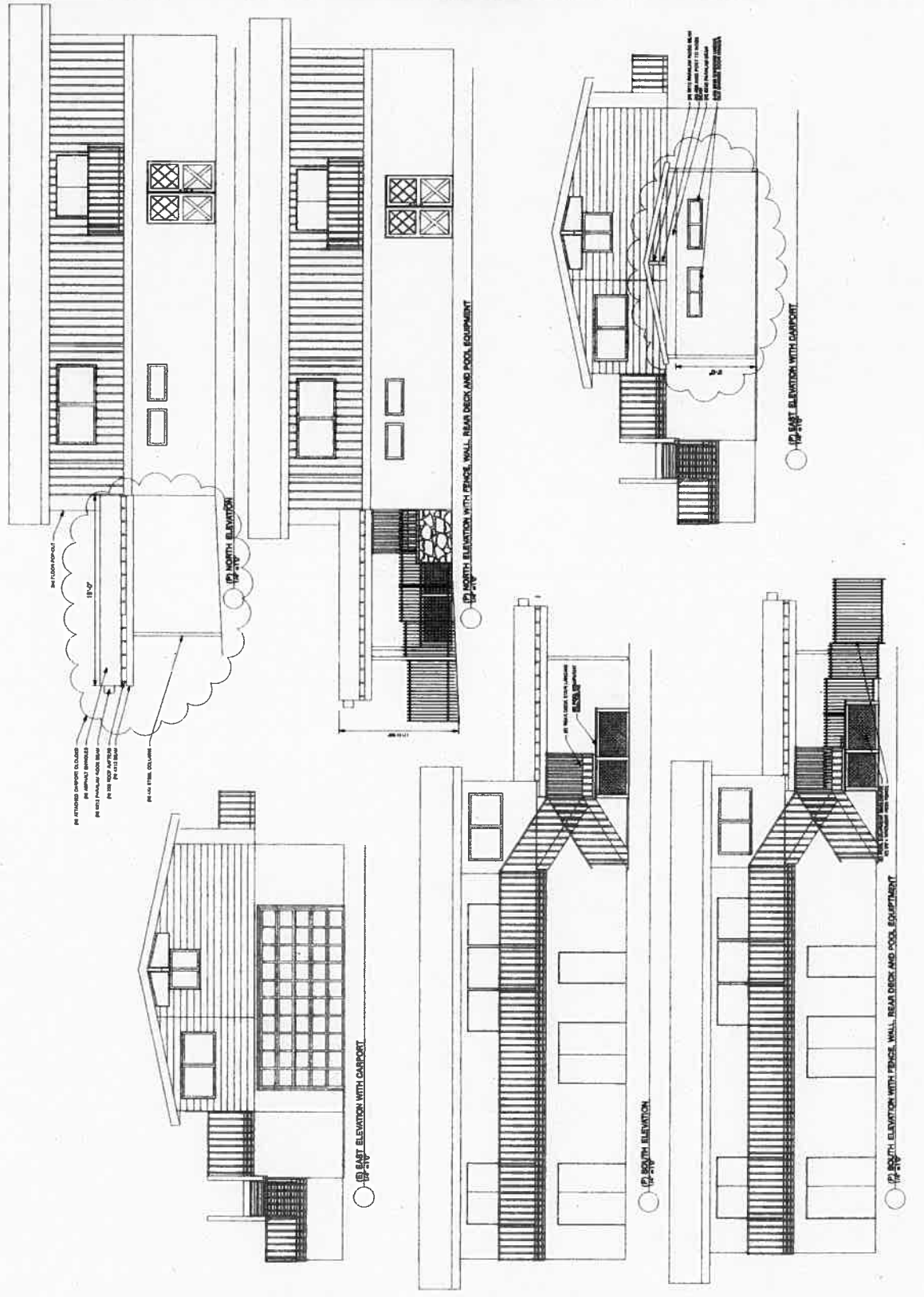
4 4TH FLOOR PLAN



Architectural
Engineering
Interior Design
Landscape Architecture
Urban Planning
Environmental Design

Thomas
Evenden

REVISION	DATE	BY	NO.
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RECEIVED
JAN 21 2009

Planning Division
City of Santa Barbara
PO Box 1990
Santa Barbara, CA 93102-1990

Date 1/22/09 CITY OF SANTA BARBARA
PLANNING DIVISION

Coastal Development Permit for 1931 El Camino De La Luz
APN 045-100-081
Land Use E-3/SD-3

Dear Planning staff,

Enclosed please find the formal application for the project located at 1931 El Camino De La Luz, within the West Mesa neighborhood of the City of Santa Barbara. The subject property is a 0.28 acre parcel zoned E-3/SD-3 within the Appealable jurisdiction of the California Coastal Commission.

The applicants are requesting approval for a Coastal Development Permit at the Staff Hearing Officer, pursuant to Section 28.44.060 of the Santa Barbara Municipal Code. No Design Review is required.

The applicants, Tom and Mindy Thomas, purchased the property in 1998, and are proposing to convert the existing 495 square foot two-car garage to habitable space and erect an attached 380 square foot two-car carport. The existing two-story dwelling is 1,731 net square feet with an attached 495 square foot two-car garage for a total of 2,226 square feet. The new carport is 380 square feet for a total of 2,718 square feet on site. The project is consistent with development in the neighborhood.

The garage conversion requires the removal of the existing garage roll-up door and infilling the area under the garage door header with a stucco wall with two five foot wide by eighteen inch long sliding windows.

The new carport will be constructed on the existing driveway pavement and match the architecture of the existing dwelling.

There will be no grading, as only two pressure footings will be required for the new carport.

There will be no change to the existing drainage on site, or new paving associated with the project. All drainage at the front of the dwelling currently and historically travels to the City street. All other drainage travels down the driveway to the existing legal drain at 1933 El Camino De La Luz. No new noise sources, smoke or odors will be produced by this project. No disposal of hazardous materials. No recreation trails traverse the site.

No resources or constraints studies have been prepared.

No structures will be demolished and no trees or vegetation removed. The property is not located near a creek nor a water course.

The property is within the E-3, single family residence zone and all land uses designations in the vicinity are E-3 with the SD-3 coastal overlay.

EXHIBIT C

Members of the public have access to the beach at Mesa Lane, 2,018 feet to the west along the road of 1,615 feet as the crow flies.

The construction will take approximately 4-6 weeks and adhere to all laws and City Ordinances.

Sincerely,

Mark Morando

Present: Peter Becker and Christine Cunningham, Architects; Bill and Mary Hegarty, Owners.

Ms. Reardon announced that she read the Staff Report for the proposed project and also visited the site and surrounding neighborhood.

Roxanne Milazzo, Associate Planner, gave the Staff presentation and recommendation.

The Public Hearing was opened at 9:46 a.m.

A letter from Paula Westbury expressing opposition to the project was acknowledged.

Public comment was closed.

ACTION:

Assigned Resolution No. 044-09

Approved the project making the finding that the Modification is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot. The site is significantly constrained by the existing steep slope. The proposed encroachments into the front setback allow for rebuild of a two-story single-family residence with minor changes in the location from what previously existed without impacts to the adjacent neighborhood.

The ten calendar day appeal period to the Planning Commission and subject to suspension for review by the Planning Commission was announced.

ACTUAL TIME: 9:49 A.M.

E. APPLICATION OF MARK MORANDO AGENT FOR TOM THOMAS , 1931 EL CAMINO DE LA LUZ, APN 045-100-081, E-3/SD-3 SINGLE FAMILY RESIDENTIAL AND COASTAL OVERLAY ZONES, GENERAL PLAN DESIGNATION: 5 UNITS/ACRE (MST2009-00039)

The site contains an existing 1,731 square foot two-story single-family residence and garage. The proposed project consists of the proposal to construct an attached 361 net square foot, two-car carport addition, and to permit the as-built conversion of the existing garage to habitable space, in order to abate violations listed in the enforcement case (ENF2008-01423). Additionally, a detached accessory building is being relocated to observe a five-foot separation from the main building and has been located outside of the required setbacks.

The discretionary applications required for this project is a Coastal Development Permit (CDP2009-00001) to allow an addition which is greater than 10% of the floor area within the Appealable Jurisdiction of the City's Coastal Zone (SBMC §28.44).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15301 (Additions to Small Structures).

Ms. Johnston, Assistant Planner, gave the Staff presentation and recommendation.

Ms. Reardon announced that she read the Staff Report for the proposed project and also visited the site and surrounding neighborhood.

Present: Mark Morando, Agent; Tom and Mindy Thomas, Owners; Doug Fell, Attorney.

Suzanne Johnston, Assistant Planner, gave the Staff presentation and recommendation.

The Public Hearing was opened at 10:00 a.m.

David Grokenberger, Attorney for Janice Taylor, opposed: concerned that the carport intrudes into blue water views from public street; the carport causes visual impact and is not consistent with the neighborhood, and, if approved, the carport should be reduced. Requested that project be returned to Planning Commission or Single Family Design Board.

Janice Taylor, neighbor, opposed: special neighborhood with ocean views should be preserved. Concerned about inaccuracies between plans and story-poles.

A letter from Scott and Lesley Wiscomb, neighbors, expressing support was acknowledged.

A letter from Paula Westbury expressing concerns for the project was acknowledged.

The Public Hearing was closed at 10:16 a.m.

Ms. Reardon questioned the backup space necessary and what the minimum dimension is for a two car carport.

Ms. Wilson, Transportation Planner, indicated that the cars would back-out of the driveway and that Transportation Staff would work with the applicant to achieve head-out maneuvering of vehicles.

Ms. Reardon stated that the major coastal issue associated with the project is related to public views. The project site is not located on the bluff and would not be visible from the beach or other significant public vantage points. The carport would be visible from the public street, however, it would not significantly impact public views of the ocean from the beach. Views of the ocean are available down the existing driveway. Ms. Reardon questioned whether the carport would be reduced in scale.

Mark Morando stated that the carport could be reduced in length and height.



City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 045-09 1931 EL CAMINO DE LA LUZ COASTAL DEVELOPMENT PERMIT JUNE 3, 2009

APPLICATION OF MARK MORANDO ARCHITECT FOR TOM THOMAS , 1931 EL CAMINO DE LA LUZ, APN 045-100-081, E-3/SD-3 SINGLE FAMILY RESIDENTIAL AND COASTAL OVERLAY ZONES, GENERAL PLAN DESIGNATION: 5 UNITS/ACRE (MST2009-00039)

The site contains an existing 1,731 square foot two-story single-family residence and garage. The proposed project consists of the proposal to construct an attached 361 net square foot, two-car carport addition, and to permit the as-built conversion of the existing garage to habitable space, in order to abate violations listed in the enforcement case (ENF2008-01423). Additionally, a detached accessory building is being relocated to observe a five-foot separation from the main building and has been located outside of the required setbacks.

The discretionary applications required for this project is a Coastal Development Permit (CDP2009-00001) to allow an addition which is greater than 10% of the floor area within the Appealable Jurisdiction of the City's Coastal Zone (SBMC §28.44).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15301 (Additions to Small Structures).

WHEREAS, the Staff Hearing Officer has held the required public hearing on the above application, and the Applicant was present.

WHEREAS, two people appeared to speak in opposition thereto, and the following exhibits were presented for the record:

1. Staff Report with Attachments, May 27, 2009.
2. Site Plans
3. Correspondence received in support of the project:
Scott and Lisa Wiscomb, 1930 El Camino De La Luz
4. Correspondence received in opposition to project:
 - a. Paula Westbury, 650 Miramonte Drive
 - b. Janice and Bruce Taylor, 1936 El Camiino De La Luz

NOW, THEREFORE BE IT RESOLVED that the City Staff Hearing Officer:

Approved the subject application making the following findings and determinations:

- I. The project is consistent with the policies of the California Coastal Act, the City's Local Coastal Plan, all implementing guidelines, and applicable provisions of the Code. The conversion of an existing garage to additional floor area in the house and the addition of a carport to provide the required covered parking is a modest expansion to an existing single-family residence. The project is consistent with the policies for the following reasons: The expansion does not result in an increase in density and would be compatible with the existing neighborhood; the project does not increase the amount of impervious surface on the lot minimizing impacts on drainage related issues; the project would not impact views from designated public vantage points; the project site is not currently or proposed to be a public access point; and the project is not located on an archaeologically sensitive site.
- II. Said approval is subject to the Conditions of Approval for 1931 El Camino De La Luz:
 - A. **Recorded Conditions Agreement.** Prior to the issuance of any Public Works permit or Building permit for the project on the Real Property, the Owner shall execute a written instrument, which shall be reviewed as to form and content by the City Attorney, Community Development Director and Public Works Director, recorded in the Office of the County Recorder, and shall include the following:
 1. **Approved Development.** The development of the Real Property approved by the Staff Hearing Officer on June 3, 2009 is limited to a Coastal Development Permit to allow the construction of an attached 380 square foot, two-car carport addition to an existing 1,731 square foot two-story single family residence and permit an as-built conversion of the existing 495 square foot attached garage to habitable floor area and the improvements shown on the site plan signed by the Staff Hearing Officer on said date and on file at the City of Santa Barbara.
 2. **Uninterrupted Water Flow.** The Owner shall provide for the uninterrupted flow of water onto the Real Property including, but not limited to, swales, natural watercourses, conduits and any access road, as appropriate.
 3. **Recreational Vehicle Storage Limitation.** No recreational vehicles, boats, or trailers shall be stored on the Real Property.
 4. **Storm Water Pollution Control and Drainage Systems Maintenance.** Owner shall maintain the drainage system and storm water pollution control devices intended to intercept siltation and other potential pollutants (including, but not limited to, hydrocarbons, fecal bacteria, herbicides, fertilizers, etc.) in a functioning state (and in accordance with the Operations and Maintenance Procedure Plan prepared in accordance with the Storm Water Management Plan BMP Guidance Manual). Should any of the project's surface or subsurface drainage structures or storm water pollution control methods fail to capture, infiltrate, and/or treat water, or result in increased erosion, the Owner shall be responsible for any necessary repairs to the system and restoration of the eroded

area. Should repairs or restoration become necessary, prior to the commencement of such repair or restoration work, the applicant shall submit a repair and restoration plan to the Community Development Director to determine if an amendment or a new Building Permit and Coastal Development Permit is required to authorize such work. The Owner is responsible for the adequacy of any project-related drainage facilities and for the continued maintenance thereof in a manner that will preclude any hazard to life, health, or damage to the Real Property or any adjoining property.

- B. **Public Works Requirements Prior to Building Permit Issuance.** The Owner shall submit the following, or evidence of completion of the following to the Public Works Department for review and approval, prior to the issuance of a Building Permit for the project.
1. **Water Rights Assignment Agreement.** The Owner shall assign to the City of Santa Barbara the exclusive right to extract ground water from under the Real Property in an "Agreement Assigning Water Extraction Rights." Engineering Division Staff will prepare said agreement for the Owner's signature.
- C. **Community Development Requirements with Building or Public Works Permit Application.** The following shall be submitted with the application for any Building or Public Works permit and finalized prior to Building or Public Works Permit issuance:
1. **Contractor and Subcontractor Notification.** The Owner shall notify in writing all contractors and subcontractors of the site rules, restrictions, and Conditions of Approval. Submit a copy of the notice to the Planning Division.
- D. **Building Permit Plan Requirements.** The following requirements/notes shall be incorporated into the construction plans submitted to the Building and Safety Division for Building permits.
1. **Carport Height.** The carport shall not exceed the maximum 7' interior height at connection to house, and 9' 6" height to roof line, perpendicular to the house, and 19' maximum length.
 2. **Grading Plan Requirement for Archaeological Resources.** The following information shall be printed on the grading plans:

If archaeological resources are encountered or suspected, work shall be halted or redirected immediately and the Planning Division shall be notified. The archaeologist shall assess the nature, extent, and significance of any discoveries and develop appropriate management recommendations for archaeological resource treatment, which may include, but are not limited to, redirection of grading and/or excavation activities, consultation and/or monitoring with a Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List, etc.

If the discovery consists of possible human remains, the Santa Barbara County Coroner shall be contacted immediately. If the Coroner determines that the

remains are Native American, the Coroner shall contact the California Native American Heritage Commission. A Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Planning Division grants authorization.

If the discovery consists of possible prehistoric or Native American artifacts or materials, a Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Planning Division grants authorization.

3. **Post-Construction Erosion Control and Water Quality Plan.** Provide an engineered drainage plan that addresses the existing drainage patterns and leads towards improvement of the quality and rate of water run-off conditions from the site by capturing, infiltrating, and/or treating drainage and preventing erosion. The Owner shall employ passive water quality methods, such as bioswales, catch basins, or storm drain on the Real Property, or other measures specified in the Erosion Control Plan, to intercept all sediment and other potential pollutants (including, but not limited to, hydrocarbons, fecal bacteria, herbicides, fertilizers, etc.) from the parking lot areas and other improved, hard-surfaced areas prior to discharge into the public storm drain system, including any creeks. All proposed methods shall be reviewed and approved by the Public Works Department and the Community Development Department. Maintenance of these facilities shall be provided by the Owner, as outlined in Condition A.4, above, which shall include the regular sweeping and/or vacuuming of parking areas and drainage and storm water methods maintenance program.
4. **Conditions on Plans/Signatures.** The final Staff Hearing Officer Resolution shall be provided on a full size drawing sheet as part of the drawing sets. Each condition shall have a sheet and/or note reference to verify condition compliance. If the condition relates to a document submittal, indicate the status of the submittal (e.g., Archaeologist contract submitted to Community Development Department for review). A statement shall also be placed on the above sheet as follows: The undersigned have read and understand the above conditions, and agree to abide by any and all conditions which is their usual and customary responsibility to perform, and which are within their authority to perform.

Signed:

Property Owner	Date
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Contractor	Date	License No.
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Architect	Date	License No.
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Engineer	Date	License No.
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- E. **Construction Implementation Requirements.** All of these construction requirements shall be carried out in the field by the Owner and/or Contractor for the duration of the project construction.

1. **Construction Parking/Storage/Staging.** Construction parking and storage shall be provided as follows:
 - a. During construction, free parking spaces for construction workers and construction shall be provided on-site or off-site in a location subject to the approval of the Public Works Director. Construction workers are prohibited from parking within the public right-of-way, except as outlined in subparagraph b. below.
 - b. Parking in the public right of way is permitted as posted by Municipal Code, as reasonably allowed for in the 2006 Greenbook (or latest reference), and with a Public Works permit in restricted parking zones. No more than three (3) individual parking permits without extensions may be issued for the life of the project.
 - c. Storage or staging of construction materials and equipment within the public right-of-way shall not be permitted, unless approved by the Transportation Manager.
2. **Construction Best Management Practices (BMPs).** Construction activities shall address water quality through the use of BMPs, as approved by the Building and Safety Division.
3. **Construction Contact Sign.** Immediately after Building permit issuance, signage shall be posted at the points of entry to the site that list the contractor(s) name, contractor(s) (telephone number(s), work hours, site rules, and construction-related conditions, to assist Building Inspectors and Police Officers in the enforcement of the conditions of approval. The construction contact phone number shall include an option to contact a person instead of a machine in case of emergency. The font size shall be a minimum of 0.5 inches in height. Said sign shall not exceed six feet in height from the ground if it is free-standing

or placed on a fence. It shall not exceed 24 square feet if in a multi-family or commercial zone or six square feet if in a single family zone.

4. **Tree Protection.** All trees not indicated for removal on the site plan shall be preserved, protected, and maintained, in accordance with the Tree Protection Plan, if required, and any related Conditions of Approval, as follows.
 - a. **Existing Tree Preservation.** The existing tree(s) shown on the approved Site Plan to be saved shall be preserved and protected and fenced three feet outside the dripline during construction.
5. **Construction Equipment Maintenance.** All construction equipment, including trucks, shall be professionally maintained and fitted with standard manufacturers' muffler and silencing devices.
6. **Graffiti Abatement Required.** Owner and Contractor shall be responsible for removal of all graffiti as quickly as possible. Graffiti not removed within 24 hours of notice by the Building and Safety Division may result in a Stop Work order being issued, or may be removed by the City, at the Owner's expense, as provided in SBMC Chapter 9.66.
7. **Unanticipated Archaeological Resources Contractor Notification.** Prior to the start of any vegetation or paving removal, demolition, trenching or grading, contractors and construction personnel shall be alerted to the possibility of uncovering unanticipated subsurface archaeological features or artifacts associated with past human occupation of the parcel. If such archaeological resources are encountered or suspected, work shall be halted immediately, the City Environmental Analyst shall be notified and the applicant shall retain an archaeologist from the most current City Qualified Archaeologists List. The latter shall be employed to assess the nature, extent and significance of any discoveries and to develop appropriate management recommendations for archaeological resource treatment, which may include, but are not limited to, redirection of grading and/or excavation activities, consultation and/or monitoring with a Barbareño Chumash representative from the most current City qualified Barbareño Chumash Site Monitors List, etc.

If the discovery consists of possible human remains, the Santa Barbara County Coroner shall be contacted immediately. If the Coroner determines that the remains are Native American, the Coroner shall contact the California Native American Heritage Commission. A Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Environmental Analyst grants authorization.

If the discovery consists of possible prehistoric or Native American artifacts or materials, a Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all

further subsurface disturbance in the area of the find. Work in the area may only proceed after the Environmental Analyst grants authorization.

F. **Prior to Certificate of Occupancy.** Prior to issuance of the Certificate of Occupancy, the Owner of the Real Property shall complete the following:

1. **Repair Damaged Public Improvements.** Repair any damaged public improvements (curbs, gutters, sidewalks, roadways, etc.) subject to the review and approval of the Public Works Department per SBMC §22.60.090. Where tree roots are the cause of the damage, the roots shall be pruned under the direction of a qualified arborist.
2. **Existing Street Trees.** Submit a letter from a qualified arborist, verifying that the existing street tree(s) have been properly pruned and trimmed.

G. **Litigation Indemnification Agreement.** In the event the Planning Commission approval of the Project is appealed to the City Council, Applicant/Owner hereby agrees to defend the City, its officers, employees, agents, consultants and independent contractors ("City's Agents") from any third party legal challenge to the City Council's denial of the appeal and approval of the Project, including, but not limited to, challenges filed pursuant to the California Environmental Quality Act (collectively "Claims"). Applicant/Owner further agrees to indemnify and hold harmless the City and the City's Agents from any award of attorney fees or court costs made in connection with any Claim.

Applicant/Owner shall execute a written agreement, in a form approved by the City Attorney, evidencing the foregoing commitments of defense and indemnification within thirty (30) days of the City Council denial of the appeal and approval of the Project. These commitments of defense and indemnification are material conditions of the approval of the Project. If Applicant/Owner fails to execute the required defense and indemnification agreement within the time allotted, the Project approval shall become null and void absent subsequent acceptance of the agreement by the City, which acceptance shall be within the City's sole and absolute discretion. Nothing contained in this condition shall prevent the City or the City's Agents from independently defending any Claim. If the City or the City's Agents decide to independently defend a Claim, the City and the City's Agents shall bear their own attorney fees, expenses, and costs of that independent defense.

NOTICE OF COASTAL DEVELOPMENT PERMIT TIME LIMITS:

Pursuant to Section 28.44.230 of the Santa Barbara Municipal Code, work on the approved development shall commence within two years of the final action on the application, unless a different time is specified in the Coastal Development Permit. Up to three (3) one-year extensions may be granted by the Community Development Director in accordance with the procedures specified in Subsection 28.44.230.B of the Santa Barbara Municipal Code.

STAFF HEARING OFFICER RESOLUTION NO. 045-09
1931 EL CAMINO DE LA LUZ
JUNE 3, 2009
PAGE 8

This motion was passed and adopted on the 3rd day of June, 2009 by the Staff Hearing Officer of the city of Santa Barbara.

I hereby certify that this Resolution correctly reflects the action taken by the city of Santa Barbara Staff Hearing Officer at its meeting of the above date.

Gloria Shafer, Staff Hearing Officer Secretary

Date

June 11, 2009

City of Santa Barbara
Planning Commission
Planning Division, Community Development Department
630 Garden St.
Santa Barbara, CA 93101



Page 1 of 3

3-pg Appeal Letter
23-pg Objection Letter
Officially submitted
before Hearing (5/2/09)
with Attachments A - N
Attachments O - U

Re: APPEAL from Decision of Staff Hearing Officer (SHO)
Hearing: June 3, 2009
1931 El Camino de la Luz (MST2009-00039/CDP2009-00001)

To the Planning Commission:

On behalf of ourselves, and on behalf of the public who frequent El Camino de la Luz, and the greater public who would be impacted by the concerning coastal zone precedent, Janice and Bruce Taylor file this APPEAL from above-referenced Decision of the Staff Hearing Officer. The Hearing Officer issued a CDP (Coastal Development Permit) which (a) gives after-the-fact approval to an illegal garage conversion, and (b) allows the construction of a carport made necessary by the unlawful garage conversion (location of which requires Waivers from City's minimum standards). In addition, previously unpermitted changes would be "grandfathered" in by the Staff Hearing Officer's blanket approval of the plans, yet these changes, some of which are substantial and should have triggered Review by the Single Family Design Board or Planning Commission, were not even pointed out to the SHO in the Staff Report. The carport would be located in and near a public blue water view corridor between the very first public road and the ocean.

The facts and detailed grounds for the appeal are set forth in the attached letter, dated June 1, 2009 and filed with the Hearing Officer on June 2, 2009, and incorporated herein by this reference. The issues for appeal are summarized as follows:

Approval of this project violates the Coastal Act for the following reasons:

The project interferes with a public blue water view and therefore violates Public Resources Code Section 30251.

(Please Note: The proposed carport's impact on the public views currently is not as apparent due to the nearly 18 foot tall hedge running down the East side of the applicant's and neighbor's property/ Attachments D and E; resolution regarding this hedge is currently underway. Further context: there has already been a partial blocking of the public's historic ocean and island view corridor by a Pool Fence that encroaches into the 20' access/egress easement by over 2 feet along the fence's entire eastern perimeter – see Attachment Q; that 20' Easement was a specific requirement for this property at the time the original Parcel was sub-divided.)

The project is not visually compatible with the character of the neighborhood and therefore violates Public Resources Code Section 30251.

- **SPACE CONSTRAINTS:** Given that the two-story home at 1931 El Camino de la Luz is as close to the street as zoning minimally allowed AND has a very lateral design and layout, if the applicants were required to follow even just the minimum guidelines set forth that all neighbors count on and plan around, there is simply not enough room for a garage or a carport in the location where one is being proposed. The original DART review indicates "Transportation Planning can support the waiver of the Parking Standards ... given that the access is existing and the parking

does not change with the current application.” (Attachment P). THIS CLEARLY SHOWS THAT THE APPLICANTS ARE UNFAIRLY BEING GIVEN PREFERENCE AND EXCEPTIONS BECAUSE THEY WERE ALREADY PARKING THIS WAY AFTER AN ILLEGAL GARAGE CONVERSION! THIS BENDING THE RULES AND FAVORITISM SETS A VERY CONCERNING PRECEDENT (BOTH IN TERMS OF DESIGN AND PROCESS) and should definitely not be allowed in the Coastal Zone. Please note that transportation staff shared that their support of a waiver was only based on whether or not two cars could possibly enter and park; they admitted that it was not their role to take ANY design or visual impacts on the neighborhood or the public or the views into consideration.

- **INCOMPABILITY OF CARPORT WHERE ONLY GARAGES EXIST:** This would become THE ONLY CARPORT VISIBLE FROM EL CAMINO DE LA LUZ ON THE ENTIRE OCEAN SIDE OF THE STREET (We all know that the way parking is handled dictates the look and feel of a neighborhood ... Can you imagine if everyone – particularly those who do not have enough room for an alternate location for covered parking -- illegally converted their garages and then got the City to recommend the best way to bend the rules and squeeze in the required covered parking to get that illegal conversion approved? And in the most sensitive area of the Coastal Zone?! (To see what kind of precedent the SHO's decision could establish on the oceanside of Camino de la Luz, please see enclosed photos & explanation of Elise Way. Attachment O.)
- **INCREASINGLY HIGH STANDARDS OF DESIGN AND PLANNING ON THIS STREET:** Recent projects approved on El Camino de la Luz – particularly on the oceanfront portion of the street which begins at the property immediately to the applicants' West and extends Eastward to the footbridge at La Mesa Park -- were held to the very highest of design standards (one recently taking over 4 years to get through the review process of the various review boards and commissions). Minimum legal criteria were not deemed to be sufficient for this street that one Planning Commissioner described at the Public Hearing as “many people's favorite street in Santa Barbara” with its greenery on the north and its ocean and island views on the south, but rather neighbors were expected to surpass those baselines. If not these especially high standards, at least the bare minimum standards must be upheld in this type of sensitive coastal environment.
- **PARKING COMPATABILITY:** Every other property on the street not only provides the required covered parking but also accommodates additional uncovered spaces for guests or others to park within their property boundaries. Please refer to photos showing the applicants' own frequent overnight and daytime parking outside of the perimeter of the proposed carport location (attachments F and G), and note – due to the unusual configuration of this property - such parking not only blocks the public's and our view but also completely blocks the only access and egress to the neighbors who must share that driveway! It is evident that it would be too squashed-in a location for further exceptions to be granted.

The City of Santa Barbara Local Coastal Plan violates the Visual Resource policies of the Coastal Act because there are no provisions for the protection of blue water views from public roads nearest the sea.

The Story Poles did not appear to fully and accurately demonstrate the project depicted in the plans and specifications, and were therefore not adequate to allow for a thorough analysis of the Coastal Act issues. The Story Poles were removed within one hour after the completion of the Staff Hearing and therefore this issue can be more adequately evaluated when new Story Poles are required prior to the Appeal Hearing.

Approval of this project violates the City's codes and regulations for the following reasons:

After the SHO was informed of the application's issues, impact, omissions and mistakes, we respectfully point out that it was no longer proper for simply the Staff Hearing Officer to decide this important precedent-setting application. Because of the significant Coastal Act issues

presented, the application should have been reviewed by the Planning Commission or the Single Family Design Review Board.

In any event, the plans presented to the Staff Hearing Officer included the previously unpermitted addition of a skylight that significantly alters the second story roofline by opening directly skyward (see photographs H, I, J), which -- according to the City's own guidelines (Attachment S) -- is a trigger for this project to be reviewed by the Single Family Design Review Board. There was not even mention of the skylight in the Staff Report or the Hearing Officer's decision.

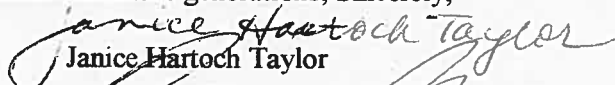

The applicant unlawfully converted the garage to living space. In such a case, there should be No waiver or modification of the City's Minimum parking and design standards, particularly those which pertain to turnarounds for fire protection. (As indicated above, absolutely NO deviation from minimal requirements should be made in this particular location anyway, because such deviations would result in a visually squashed-in carport a) in an especially sensitive site that is valued by the public as one of only two ocean/island view corridors remaining on this exceptionally-popular-to-pedestrians-and-bicyclists ocean-front cul-de-sac ; b) in a location not merely in the Coastal Zone which extends several more blocks inland but situated immediately between the ocean and the very first public street; c) in a bluff area known for its delicate history and great fragility (only SB County location where coastal houses were lost in a single landslide); d) alongside a driveway serving as the only access for two other properties on that fragile bluff, e) in a neighborhood that is now being held to extraordinarily high design and planning standards and f) in a design and planning climate where carports are not even typically approved for a single family residence in a non-sensitive location!)

Numerous items were not adequately described on the plans and specifications. Those items include hedges and other vegetation which are currently the subject of two superior court actions under the View Preservation Ordinance.

There were numerous mistakes, omissions and oversights in the staff report for the SHO (itemized in enclosures.)

This is a vitally important application in terms of the precedent it will set regarding PROCESS as well as DESIGN/PLANNING on this oceanfront portion of El Camino de la Luz on the Mesa, and also potentially impacting our entire coastline. It is not a requirement for the applicants to actually park their cars in their original, neat, tucked-in garage. However, it is simply not appropriate to approve the further lateral extension of this already very lateral, view-blocking house -- built as close as possible to the street -- through the addition of a carport or garage where there is not enough legal space, expanding the footprint beyond the allowable limits for parking, and permanently and forever impacting already diminishing ocean and island views on this ocean-front cul-de-sac for generations to come. We thank you for your care and consideration.

On behalf of the public and future generations, Sincerely,


Janice Hartoch Taylor

Bruce Ashby Taylor
1936 El Camino de la Luz, Santa Barbara, CA 93109
(805) 966-4395 janicehtaylor@cox.net

Enclosures (includes additional Attachments O-U that better demonstrate issues already brought up in original submission.)

June 1, 2009

Ms. Susan Reardon
Staff Hearing Officer
City of Santa Barbara

Dear Ms. Reardon:

RE: Coastal Development Permit SHO HEARING 6/3/09
1931 El Camino de la Luz / MST2009-00039/CDP2009-00001

Executive Summary:

This is an Objection Letter presented with the recommendation and request that the Staff Hearing Officer decline this application (and/or refer the process to Single Family Design or Planning Commission). If you do not wish to discourage this project in its entirety, ^{an extension} on the Thomases' Illegal Garage Conversion Enforcement Case can be facilitated to ensure time for the applicants to make some revisions that address the important public view concerns described in the following pages. We have consulted with Planning as well as Transportation via the City Attorney and are pleased to confirm that there exists an acceptable and highly preferable (to all parties) design alternative that still precisely meets the applicants' needs. [In fact, the proposed adjustment would result in a structure that was approximately delineated this past weekend by the Thomases' very misleading Story Poles. Specifically, the lateral extension of the carport eastward appears to have been deliberately shortened as compared to what is on the Plans and Staff Report you have before you. The mis-representation of the Story Poles, in and of itself, should be sufficient reason to not grant approval of this application, but numerous more substantive reasons are detailed in the following pages. A site this sensitive and this beloved should not be designed in a vacuum without legitimate input from the public.]

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This is not a simple carport application. Several years ago, the applicants unlawfully converted 495 square feet (sf) of garage into habitable space. By doing that, and then taking numerous additional actions to hide the original illegal action, they triggered a sequence of events that have caused great disruption to the public's scenic views. Furthermore, in complete accordance with all legal procedures, we as neighbors across the street based very costly design and construction decisions, knowing that, as long as Parking Standards and respect for public views continue to be upheld and enforced by the City, as they were for us, a carport or garage could never be constructed in the very location where one is now being proposed. By the present application, the applicant seeks to cure the garage violation, by expediently building a 361 sf carport. The problem is that the applicant's property is located on the most sensitive, hallowed ground of all of Santa Barbara – the oceanside of the first street between the ocean and the City – and a special one at that: El Camino de la Luz with its footbridge and the lighthouse for which it is named. Despite its popularity, cherished views as well as highly

fragile location (immediately adjacent to where houses collapsed down the bluff when an historic landslide was triggered in 1978, this coastal development proposal does not even meet the minimum of the City's basic printed Standards; it interferes with the public's blue water ocean and island views, and is not compatible with the character of the neighborhood. Furthermore, the proposal and process have been fraught with mistakes or omissions, as well as lopsided support for the applicants who created the need to now legalize an as-built construction and its carport. This proposal would set a bad precedent, in terms of both design and process, making this application simply not appropriate for approval by the Staff Hearing Officer, particularly when an alternate, preferable proposal that minimizes public view obstruction was recently given the nod by City attorney Scott Vincent. Please remember that Coastal Review mandates that in the case of a conflict or potential conflict, the natural resource concerns should win out. If you do not choose to deny the application outright, we request that you kindly either forward the application to the Single Family Design Review Board (SBMC Sec. 22.69.020, subd. (I)), or to the Planning Commission so that the visual impacts of the project can be considered by one of those decision-making bodies under the Coastal Act. This is clearly a case where the Staff Hearing Officer has an opportunity, and we feel a responsibility and duty, to exercise her discretionary review. When a mutually agreeable solution could be at hand that would result in a less-costly project that would still achieve all the objectives, we feel that it would be a mistake to approve a project that could disregard the public in this fashion. This is not a case that should be rushed for expediency, the stakes and the impact are too high for this and future generations.

Overview: For your convenience, we are first giving you a bulleted list of the reasons why we feel this proposal ought to be declined, and then I give you a bulleted list of why, if not declined, it should at least be required to go to SFDB or PC. Following that, we preview the way we've structured the following pages.

Some of the many reasons why this proposal ought to be declined:

- ➔ Given the site (a view-sensitive, fragile, aesthetic, popular and now an architecturally-high-standard area of the most valued part of the Coastal Commission's territory), one should not allow anything less than the minimum design standards, but this proposal depends upon such a waiver/exception/flexibility despite the quotation in The Standards of Parking Design: "the standards presented are the minimum requirements and therefore dimensions less than those required will not be accepted on parking plans." [Particularly since the waiver results in more visual obstruction on one of only two significant public ocean/island view corridors on oceanfront El Camino de la Luz, and one that serves as the only access/egress easement for two blufftop properties!)*
- ➔ The Story Poles were not built to show the full lateral extension into the public view corridor, thus the Story Poles as currently placed do not offer an accurate representation of the breadth and scope of this project.

➔ Attachments
F and G

* also see examples of applicants' parking behavior after garage illegally converted. Too tight and impactful an area for a waiver of any turning distances.

- Numerous items on the plans have not been adequately described, or are missing and might not be in the SHO's purview to approve (just one example is vegetation that is currently under dispute in two pending Superior Court cases via Santa Barbara's View Ordinance.)
- City Attorney Scott Vincent already explored/tested an idea with planning and transportation staff that could result in a carport with significantly less obstruction of public views (the staff's flexibility in applying the Standards of Parking would be in favor of the public views, instead of against.) . This current application cannot be approved for that win-win alternative proposal to take shape. (An extension should be secured with the Enforcement folks so that there is time for this process.)
- Don't want to set the precedent of giving favoritism, waivers or exceptions to residents who illegally undertook construction, particularly in a sensitive coastal zone where the public's views would be negatively impacted.
- Numerous mistakes or Omissions on the Plans and in the Report

Some of the reasons why this application should at least be reviewed by SFDB or PC:

- the inclusion on the plans of an unpermitted skylight, the type that alters the second story roofline significantly because it opens vertically (the type typically found on Recreational Vehicles and Mobile Homes) makes this trigger SFDB Review because this is no longer simply a first floor carport and family room proposal.
- The proposed exceptions to parking create a tighter visual dynamic, more appropriate for Elise Way rather than El Camino de la Luz. Also, a garage can really not fit, so a carport is what is proposed, and there are very few carports in the area, none on the oceanside of El Camino de la Luz that are visible from the street. This would be setting (or, I should say, reversing) significant design precedent for the area which has had heightened design scrutiny in recent years.
- The full extent of the impact on the public's ocean and island views is not as noticeable today as it will be when the pending Santa Barbara View Ordinance procedures are concluded (Big Eastern hedge will be cut back, increasing public's ocean and island views particularly for pedestrians coming from the west.)

Preview of the way we've structured this document:

I. THE PROJECT VIOLATES PUBLIC RESOURCES CODE SECTION 30251 AND LCP POLICY 9.1 BECAUSE IT OBSTRUCTS A PUBLIC BLUE-WATER OCEAN VIEW

II. THE PROJECT VIOLATES PUBLIC RESOURCES CODE SECTION 30251 BECAUSE IT IS NOT VISUALLY COMPATIBLE WITH THE CHARACTER OF THE NEIGHBORHOOD

III. MISTAKES / OMISSIONS/ OVERSIGHTS

IV. CONCLUSION, and attachments

I.

**THE PROJECT VIOLATES PUBLIC RESOURCES CODE SECTION 30251
AND LCP POLICY 9.1 BECAUSE IT OBSTRUCTS
A PUBLIC BLUE-WATER OCEAN VIEW (AND WAIVERS/EXCEPTIONS
WOULD HAVE TO BE GRANTED IN ORDER TO DO THIS!)**

The California Coastal Act (the Act) provides “a comprehensive scheme to govern land use planning for the entire coastal zone of California.” (*Yost v. Thomas* (1984) 36 Cal.3d 561; Pub. Res. Code (PRC), sec. 30000, et seq.). One of its goals is to “**protect, maintain, and, where feasible, enhance and restore the overall quality of the coastal zone environment and its natural and artificial resources.**” (§ 30001.5, subd. (a).) To achieve this goal, the Act sets forth specific policies governing public access, recreation, the marine environment, land resources, and development along the coast. (§§ 30210-30265.5.)

Section 30251 of the Act defines coastal scenic and visual qualities as coastal resources and mandates their protection.¹ Section 30007.5 of the Act declares that, **if conflicts arise between or among various policies, resource protection comes first.**²

These provisions of the Act impose upon all Coastal Zone regulating agencies the broad obligation to protect scenic and visual resources. (See, e.g., *Douda v. California Coastal Com'n* (2008) 159 Cal.App.4th 1181; *LT-WR, L.L.C. v. California Coastal Com'n* (2007) 152 Cal.App.4th 770; *Paoli v. California Coastal Com.* (1986) 178 Cal.App.3d 544. **The mandatory protection of view corridors to the ocean is included in the mandate of Section 30251.** (See, e.g., *La Costa Beach Homeowners' Assn. v. California Coastal Com.* (2002) 124 Cal.Rptr.2d 618.)

¹ Section 30251 provides: “**Scenic and visual qualities. The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.**” (Emphasis added.)

² Section 30007.5 provides: “The Legislature further finds and recognizes that conflicts may occur between one or more policies of the division. The Legislature therefore declares that **in carrying out the provisions of this division such conflicts be resolved in a manner which on balance is the most protective of significant coastal resources.** In this context, the Legislature declares that broader policies which, for example, serve to concentrate development in close proximity to urban and employment centers may be more protective, overall, than specific wildlife habitat and other similar resource policies.” (Emphasis added.)

The Thomas project will permanently and negatively impact and obstruct a *long-held* public view corridor to the ocean from El Camino de la Luz – for this generation and all generations to come.

Description of location: El Camino de la Luz is a particularly cherished road in the City of Santa Barbara. It has the advantages of being a Cul-de-sac with relatively limited automobile traffic, yet, because of its beloved “lighthouse footbridge”, it also has the opposite advantage too --- connecting thousands of pedestrians, bicyclists, dogwalkers and joggers every year with coastal parks and walks from one coastal access to the next, with periodic and cherished glimpses of ocean and islands along the way. El Camino de la Luz is frequently selected as the route for races, marathons and triathalons, often attracting supporters to sit on the non-ocean side, providing support and water to the racers while enjoying views of the ocean and islands. Furthermore, virtually all of the homeowners and many visitors signed a petition to not require sidewalks, mostly because groups of pedestrians like to slowly amble down the street regularly to enjoy the vistas and peaceful ambiance. Furthermore, El Camino de la Luz is listed as an official Alternate Route on the City of Santa Barbara's Bike Map to provide even more coastal and scenic views and less car traffic than the main part of the “Coast Route” itself! This is the street where a Planning Commissioner at a public hearing stated “this is one of Santa Barbara's favorite streets” and special care must be taken to preserve what makes it special (open spaces, greenery, periodic glimpses of ocean and islands.) Sometimes a location's fragility is what makes it so absolutely special. **THIS IS THE ONLY OCEANFRONT STREET IN THE COUNTY OF SANTA BARBARA WHERE THE REACTIVATION OF A HISTORIC LANDSLIDE LED TO THE LOSS OF TWO HOMES DOWN THE BLUFF AND DAMAGE TO NUMEROUS OTHERS** (dramatic photos available from 1978.) This took place immediately adjacent to the site of this application. For both safety and aesthetic reasons, this is not an area that ought to be boxed in with anything less than the minimal car turning requirements (yet this proposal does not meet those minimal standards.)

Description of special nature of public's ocean/island views: The site of the proposed carport is one of only two ocean and island view corridors for the public on El Camino de la Luz. Day-in and day-out, pedestrians, bicyclists, joggers and dog-walkers turn their heads to gaze down and over this driveway and this area of the applicants' property to see the beautiful Pacific Ocean and islands, as they either walk from the East to the West, or from the West to the East. Please note: temporarily – beginning around 6-7 years ago and hopefully to be remedied very soon – about half of the view has been obstructed through the excessive and – we allege - unlawful growth of a hedge, perhaps the tallest hedge on the Mesa. Specifically, the hedge on the East of the subject driveway, further toward the bluff, has been deliberately allowed to continue to grow, now rising vertically nearly 18 feet from this driveway, dramatically blocking the public's ocean and island views that would have been able to be seen through the location of the proposed carport. Discussions, negotiations, mediations and now litigation in Superior Court have been underway regarding this hedge that is significantly higher than its historic height that was

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UNDER DISPUTE / EAST HEDGE

maintained for many decades, and the future height is in the process of being determined and enforced through the Santa Barbara View Ordinance. The assessment of the public's ocean view from this sensitive location needs to take this critically important factor into account, and therefore especially careful and thorough design and planning reviews are essential for this coastal development proposal..

Santa Barbara's LCP lacking specific regulations: Despite the obstruction to this blue water public view, the staff report does not mention the issue as a substantive factor. In addition to not realizing that the height of the obstructing hedge is in the process of being remedied, the lack of focus on this ocean view issue may be because, although the City's LCP (Local Coastal Plan) includes a general policy to protect "existing views to, from, and along the ocean" – in part by "[r]equiring view easements or corridors," and other "development restrictions" (see, LCP, p. 144, Policy 9.1),³ the City has not adopted specific development regulations to bring the policy to fruition. In fact, the policy which discusses "view corridors" does not even mention view corridors to the ocean from the first public street.⁴ This is a gaping omission. In the neighborhood involved in this application, the City's "Visual Resources Map" (attached) shows the coastal bluffs and shoreline as an "area of visual sensitivity." The residential neighborhoods on the bluff – through which the public can see to the ocean – are not designated for protection in any manner in the City guidelines, yet they are designated for protection within the Coastal Act. And, the LCP acknowledge that "more specific policies and actions need to be developed to carry out the actions already recommended in the General Plan and address . . . (1) Protection and enhancement of public views where they now exist within the coastal zone (LCP, p. 144.)"

Please note that the Zoning Information Report for this specific home dictates that "some sort of Coastal Review is required for ANY CHANGE on this property, even if a building

Attachment
M

³ LCP, Policy 9.1 (p. 144): "The existing views to, from, and along the ocean and scenic coastal areas shall be protected, preserved, and enhanced. This may be accomplished by one or more of the following: (1) Acquisition of land for parks and open space; (2) Requiring view easements or corridors in new developments;

(3) Specific development restrictions such as additional height limits, building orientation, and setback requirements for new development; (4) Developing a system to evaluate view impairment of new development in the review process. Actions

- Explore Federal, State, and local funding sources for park and open space acquisition.
- Delineate view corridor locations on new construction/ development plans by additional building limits, building orientation, and setback requirements.
- Establish standards of acceptable view protection to be utilized by developers, City staff, and discretionary bodies to ascertain a project's height, setback, and clustering of buildings."

⁴ LCP, Visual Resources, Section 3 (p. 138) provides: "New development shall not obstruct scenic view corridors, including those of the ocean and lower elevations of the City viewed respectively from the shoreline and upper foothills, and of the upper foothills and mountains viewed respectively from the beach and lower elevations of the City. . . ." (Emphasis added.)

permit is not required.” This wording speaks to the HIGHLY SENSITIVE NATURE OF THIS LOCATION. Again, this is not just any location within the Coastal Zone broadly, it is within the “hallowed, sacred” coastal zone BEFORE THE VERY FIRST COASTAL ROAD. This very lateral two-story home with no setbacks or “wedding-caking”, which was built absolutely as close as Zoning would allow to the street, and would definitely not pass today's more careful and stringent design standards, has already obstructed enough ocean view and care must be taken to preserve the small but HIGHLY VALUED corridors immediately to the East of the home that are remaining, and their aesthetic framing and context.

Where public ocean views are at stake, this is NOT a location where the applicants should be granted ANY exceptions or waivers or bending of rules, yet this proposal depends upon this (see details in next section). It is the applicant's illegal action that has created this situation that now the Staff is showing such understanding for and bending their rules to accommodate. The applicants should not be entitled to bend the rules in violation of the Coastal Act in order to find an expedient solution to the zoning situation that they themselves created. Wouldn't it be nice if we could all illegally convert our garages without getting caught in the process, then come back and get a 29% increase in the habitable square footage of our homes without much fuss?

II

**THE PROJECT VIOLATES PUBLIC RESOURCES CODE SECTION 30251
BECAUSE IT IS NOT VISUALLY COMPATIBLE
WITH THE CHARACTER OF THE NEIGHBORHOOD (AND
WAIVERS/EXCEPTIONS WOULD HAVE TO BE GRANTED IN ORDER TO DO
THIS!).**

(See Section IIA and III of this Objection Letter for more complete discussion of this Waiver/Exception that would have to be granted.)

Section 30251 also requires that projects be “visually compatible with the character of surrounding areas.” There are numerous ways in which this project, and the manner by which this project is being processed, violate this central provision of Section 30251.

For the reasons throughout this section as well as the entire document, this Coastal Development Project must – if it is not declined – proceed for further review with the SFDB and/or Planning Commission.

This particular property on El Camino de la Luz is too sensitive a location for any waivers or exceptions to be granted that adversely impact public views of the ocean and islands. Moreover, the Applicant Should not be Entitled to Avoid the CITY OF

SANTA BARBARA'S PARKING DESIGN STANDARDS OR PRC Section 30251 and/or Single Family Design Review or Review by the Planning Commission by "Begging Forgiveness Rather than Asking for Permission." This application violates both of these conditions.

In both the required number of feet for turning into the carport (which also equates with the visual distance of the carport from its closest obstructions) and also in the required number of feet alongside the carport, this application is not even meeting or adhering to minimal standards and requirements, let alone providing extra "breathing room", as others have been required to do, in deference for the special location. This should not be permitted.

This application is apparently being processed by the Hearing Officer under the Zoning Ordinance (SBMC, Chap. 28). However, because it involves visual impacts under the Coastal Act, and is requiring a variance from the publicly available design standards for Parking, we respectfully submit that it should be subject to review by *either the Single Family Design Review Board* (SBMC Sec. 22.69.020, subd. (I), [That Board was created by Chapter 22 of the Santa Barbara Municipal Code, "Environmental Policy and Construction."], or the Planning Commission so that the visual impacts of the project can be considered by one of those decision-making bodies under the Coastal Act. Alternatively, this application can be declined and returned back to the Applicants and Staff because it is incomplete and misleading (see Section III), in numerous ways such as the handling of Story Poles and the numerous other omissions and mistakes as set forth in Section III.


The City's website explains that the "Single Family Design Board was created in 2007, by Santa Barbara Municipal Code Chapter 22.69.010 to promote the general welfare, protect and preserve the City's natural and historical charm, and enhance the City's aesthetic appeal and beauty." The general functions of the Board are to:

- Ensure that single family residential unit projects are compatible with the surrounding neighborhood in size and design.
- Protect public visual resources
- Promote the ecological sustainability of the City's built environment through the design review process.

- The SFDB and/or other review bodies carefully apply and follow the Neighborhood Preservation Ordinance, Single Family Design Board Guidelines, and other guidelines, which is needed in this case.

It should also be noted that the Mesa is becoming an especially active and organized area with regard to design and planning, and ocean and island views are a key planning component.

As we may have mentioned, an oceanfront bluff is not the type of neighborhood where zoning should be stretched or flouted. Therefore, we respectfully submit that this project should either be subject to SFDR or review by the Planning Commission. An applicant should not be permitted to take advantage of an unlawful act (here, the unpermitted garage conversion) to sidestep the requirements of the Coastal Act for at least two reasons:



First, the procedure suggested by staff in this case would set very bad precedent for the neighborhood and the entire City. Build your desired project first, because the City will then work with you to get around the rules, no penalties whatsoever, but rather use your illegal behavior to justify a reduction of the design and parking standards!! Perhaps this happens throughout the City, we don't know, BUT IT SHOULD CERTAINLY NOT BE ALLOWED TO TAKE PLACE SO EASILY WITHIN THE HALLOWED SACRED GROUND OF OCEANFRONT AREA PROPERTY BEFORE THE VERY FIRST COASTAL STREET! Not the place to encourage the most expedient, least costly, least legal way to expand one's dwelling space by 29%!

And second, as this case graphically demonstrates, that precedent would be utilized to subvert all of the goals of the SFDR, *Planning Commission, Good Neighbor and Parking Design* Guidelines. As explained in detail below, if this case were sent for SFDR and/or Planning Commission, it would be impossible for the Board to make many of the mandatory findings required by the Coastal Ordinance.

Moreover, even if our analysis of all of the complex rules is by chance not entirely correct, we respectfully request that the Community Development Director exercise the discretion authorized by Section 22.69.020, subd. I, and refer the matter to the SFDR Board.

Imperative for the Staff Hearing Officer to exercise the discretion she has been granted/ imperative to take into consideration the HUGELY discretionary reviews implemented in this immediate area. (Later in this document are a few examples of proposals designed perfectly to code that were still not approved by discretionary reviews of neighboring homes.)

Planning Commission is of course the other option. Please note that it was the Planning Commission that questioned neighbors' (on this street's) placement of parking structures, even though those examples were not even on the ocean side of the street because El Camino de la Luz was described at a Planning Commission Hearing by Commissioner Bill Mahan (See Planning Commission Hearing video) to be "many people's favorite street in Santa Barbara" and one that should have exceptionally high standards implemented by the Planning Commission and other such bodies, for the long-term benefit of all who utilize the beauty of this particular street. If those standards were imposed for the non-ocean side of the street, they should be even more stringent for the more hallowed Ocean Side!

The Illegal Garage Conversion and the Proposed Carport Cannot be Viewed in a Vacuum. We will address this neighborhood compatibility within the context of 8 broad categories:

- A) visually offensive parking allowances & carport structure (compared to a garage)**
- B) current and emerging design and planning issues and characteristics of the immediate neighborhood**
- C) scale and bulk of project**
- D) SKYLIGHT: unpermitted and second story roofline profile-altering type of skylight not described in Staff Report yet snuck onto the plans for furtive approval while focus is on carport – SHOULD TRIGGER SFDB (according to SFDB's guidelines, because this type of skylight constitutes significant 2nd story alteration.)**
- E) The Project Violates The Good Neighbor Guidelines. (SBMC, Sec. 22.69.050.) – in both substance/content (such as neighbors' cherished and valued private views) as well as process (see below).)**
- F) NEGATIVE PRECEDENT IN TERMS OF DESIGN (See SECTION III FOR NEGATIVE PRECEDENT IN TERMS OF REVIEW PROCESS.)**
- G) FEASIBLE, PREFERABLE ALTERNATIVES EXIST!**
- H). The trees and landscape that are supposed to be signed off, initialed and approved by the Staff Hearing Officer cannot or should not be determined by the Staff Hearing Officer because those are currently the subject of pending litigation in Santa Barbara Superior Court cases. (ALSO FOR III???)**

Now, ⁸ detail each of those items to show Incompatibility of this Coastal Development Project with the Neighborhood:

A. Visual Impact of AUTOMOBILE PARKING and the Way it is Handled (not meeting design standards) / the concerning precedent of this carport vs. garage in this neighborhood).

This application does not meet the minimum design turning distance requirements, which creates a much more squashed in, “sardined” appearance to the entire property and its surroundings. Despite the fact that City of Santa Barbara's Standards of Parking Design state:

“the standards presented are the minimum requirements and therefore dimensions less than those required will not be accepted on parking plans”

Nonetheless, THIS PLAN DOES NOT MEET THE MINIMUM REQUIREMENTS. Referring to Page 19 of these Standards, neither the “M-d” nor the “N” Required Maneuvering Depths are met in this application. (Lots of different ways these Plans can be counted or interpreted, but – no matter how you look at it – there are still exceptions to this bare minimum that would be necessary, whereas all other (at least recent) developments in this neighborhood were required to greatly exceed the bare minimal criteria. This is the type of neighborhood – especially on one of only two ocean viewing corridors – where the Public should be given that extra visual “breathing room”, yet this is a proposal that does not even meet the bare minima in two different directions within the “Required Maneuvering Depths”

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Carport within or next to a public view corridor - offensive, particularly when compared to almost all of the other parking provided by the neighbors as well as compared to what was originally approved for this location (and illegally removed) -- a neat, tucked away garage within the large two-story home, keeping the home visually in its place without sprawling out onto the ocean and island public view corridor. Already, an additional encroachment has taken place (the pool was approved with a pool fence that spills over into the required 20' easement necessary for access two additional properties. This octogenarian neighbor in the back is not choosing to defend her Easement rights in conflict with the people with whom she shares a driveway, but we say, enough is enough. Please, No more exceptions that have such negative impacts on others.

If, by some small chance, City Staff have found – since their initial review – a new, “creative counting” way to justify their interpretation of the Parking Standards (Page 19) in a way that no longer makes them refer to this application as requiring a Waiver of the Parking Standards (perhaps counting the vegetation/grass border and/or counting under the eastward bearing long carport roofline), we wish to alert the Staff Hearing Officer that this re-interpretation quite possibly negates the spirit of the Parking guidelines and standards. We wish to point out the following facts to the Staff Hearing Officer:

- first a reminder that the Guidelines say, “the standards presented are the MINIMUM requirements and therefore dimensions less than those required will not be accepted on parking plans” (Page 6, Standards for Parking Design.)
- Design Standards do not simply dictate minimal functional purposes, but they also protect the visual and aesthetic open space resources and appearance of the site, to help balance the visual disruption of the car, carport or garage itself. Not only is the actual minimum workability of the parking relevant, but – particularly in this case – the Standards protect the visual appearance of the site, ensuring that the parking is not squashed inappropriately into its surroundings, providing a visual contrast to the harsh lines and visual disruption of the automobile or structure itself. This aspect of the parking design standards is CRITICALLY RELEVANT IN THIS PARTICULAR

CASE, YET, DESPITE THE ILLEGALITY OF THE ORIGINAL GARAGE CONVERSION, EFFORTS ARE BEING MADE TO TRY TO BEND THESE GUIDELINES WITHOUT ANY PROFESSIONAL ASSESSMENT OF THE DESIGN, AESTHETIC AND VIEW ASPECTS AND IMPACTS. SINCE THE ROOF OF THIS CARPORT JUTS INTO A PRECIOUS PUBLIC VIEW CORRIDOR, THIS PARTICULAR SITE IS NOT THE TYPE OF LOCATION WHERE SUCH EXCEPTIONS, WAIVERS OR CREATIVE COUNTING SHOULD OCCUR, merely focusing on whether or not the cars have the minimal space to barely get in and out of the location. OTHER VITALLY IMPORTANT ISSUES ARE CLEARLY AT STAKE AND BEING IMPACTED.

- Even if one of the required distances is counted in the most extreme way to favor the applicant (such as suggesting they can use the Eugenia Hedge as a turning ground, etc.), there is still a waiver or "work around" that would have to be granted here (on the northern side of the carport, where a distance of 3.5 feet is required, but there is a pool fence squashed immediately against that spot. (I can just imagine if we wanted to put up a dog run fence squashed against the side of our driveway in front of our garage; I know these guidelines would be used to tell me it was not allowed, and mine wouldn't even be in an ocean view corridor.) Again, this closing one's eyes to the Standards is disrespectful in this particular location. If such Standards are ignored or broken, I would like to respectfully recommend there be a compensating reduction FOR THE PUBLIC'S BENEFIT in the carport's roofsize to ensure the visual distance of the roof from the eastern edge of the driveway (for example, since the carport opening between the posts is between 18 and 19 feet, then a 24-25' open space distance is mandated of driveway surface, and we would like to ensure that just like on the diagram in the Standards – this be measured from the outside edge of the roofline, and then going eastward.
- To simply aim to "make it work" is disrespectful in this particularly sensitive location. (We actually appreciate the City's support of applicants, we too benefited from their concern as well, even though the higher body would often overrule the Staff's determination as new perspectives were brought for consideration.) That is the responsibility of the discretionary review process and it is what is protecting the beauty of our City for this and future generations. It is our obligation as neighbors who know this publicly cherished coastal zone so well, to bring these facts to your attention.

(Furthermore, the driveway that is the very subject of this application SERVICES, and is the ONLY ACCESS/INGRESS/EGRESS for a property that IS PRECARIOUSLY PERCHED ON THE BLUFF AND THAT TRIGGERS THE VERY HIGHEST TYPES OF COASTAL REVIEWS POSSIBLE.) Parking considerations have to be especially conservative given this location.

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F + G.
parking
behavior
that
shows
No
waiver
appropriate
Regarding
turning maneuver requirements
on this Easement.

CARPORT VS. GARAGE:

Clearly the original placement of the garage was preferable, but since a new garage cannot fit in a different location of the property, we understand the applicants wanting to add a Carport.

Given that carports are universally considered less formal, less desirable and less attractive than ^{garages} ~~carports~~, and given that there are zero carports visible from El Camino de la Luz on the ocean side of the Street, the design of this carport must be given great attention. Please refer this to SFDB of PC.

Another point about this carport design:

All other garages and carports on the street allow for significantly more space in front, allowing for aesthetic, visual and practical "breathing room" for the residents and their visitors. Although not a technical requirement, this would become virtually the **ONLY HOUSE ON THE STREET WHERE AN UNCOVERED OFF-STREET PARKING SPOT WOULD NOT BE AVAILABLE FOR VISITORS, DIRECTLY ADJACENT TO THE COVERED PARKING SPACES**. (Please refer to photos showing how the illegal garage conversion has created a ripple effect of activity resulting in the neighbors in the back being blocked by cars parked in the shared driveway/easement). We should be careful not to reward bad behavior with an exception or waiver, or – conversely – good design could help outline and specify the appropriate location for cars to be parked in the future.

CONCERNING DESIGN PRECEDENT OF PARKING PLAN:

COMPARE TO ELISE WAY. Whereas El Camino de la Luz (the applicant's oceanfront street) is zoned entirely (E-3, SD-3.), Elise Way, also completely in the Coastal Zone but a few blocks up from the coast, has a mixture of the same exact zoning (E-3, SD-3) but it also has properties zoned as (R-2, SC-3, duplexes) and the subsidized housing complex. The result is a very visually different dynamic on Elise Way (WHERE NO OCEAN AND ISLAND VIEWS EXIST, WHICH IS NOT ON THE BIKE MAPS, NO FOOTBRIDGE, NO CUL-DE-SAC, NO LARGE LOTS). It would be visually compatible for an E-3, SD-3 home (the same zoning as the Thomases') on Elise Way to have a carport squeezed into a minimal sized location. In comparison, the residents of El Camino de la Luz are very protective of the more pure, single residence, aesthetically pleasing, visual character of their immediate neighborhood. On Elise Way, carports are jammed very close to driveways and to other homes and the carports are highly visible, virtually defining the look of the neighborhood. That is not the precedent that should be set for El Camino de la Luz. As one can see, THE WAY PARKING IS HANDLED DICTATES THE WHOLE LOOK AND FEEL OF A NEIGHBORHOOD. And with the Revision that could be prepared in place of this application (simply a carport that is less long, but which Transportation Planning and the City Attorney have been receptive to), that visually compacted appearance is avoided.

(WILL
GET FOR
HEARING, PHOTOS
OF
ELISE
WAY
AS
WHAT
EL
CAMINO
DE
LA LUZ
DOES
NOT
WANT
TO
BECOME.)

At the current time, only one other house visible from El Camino de la Luz has a carport, and absolutely none that are visible from the street on the ocean side of El Camino de la Luz. In sharp contrast, all the recent development projects went to great heroics for tasteful locations of their parking structures – two behind the house, all others considerably set back from the street. If approved, this one should NOT be fallowed to be so “in your face” but rather scaled back for a win-win design.

B. The Proposed Development Is Not Consistent With The Scenic Character Of The City And Will Not Enhance The Appearance Of The Neighborhood. (SBMC, Sec. 22.69.050, Sec. A1.)

Frankly, this application represents an aesthetically offensive and obtrusive proposal --- to shoehorn in a protruding-into-public-ocean&island-views carport -- sardined closer than Printed Design Standards allow to the property line and to an access/egress easement and to fences -- in place of the original neat, proper garage that was once tucked away within the two-story home. 1931 El Camino de la Luz already appears architecturally maxed out, a two-story home along its entire distance that rises directly up from the absolutely minimal 20 foot setback from the front property line. The design is very lateral, thereby creating a barrier that blocks the ocean and island views that were enjoyed from El Camino de la Luz for half a century. Clearly, the home, built close to 30 years ago, would not be approved in today's higher design standards.

Important opportunity to prevent further architectural injury to the streetscape. In this neighborhood, homes are no longer approved to extend to minimal set-back lines in several directions.

The Neighborhood trusted and Is Counting On Fairness and An Equal (or at least minimal!) Level Of Design And Scrutiny.

Even if the same level of design scrutiny that most of the neighbors have gone through was not initially applicable in this case, THE PROJECT STILL SHOULD NOT BE SHOE-HORNED IN WITHOUT AT LEAST TECHNICALLY MEETING THE CITY'S MOST BASIC, PUBLIC STANDARDS!!! (In other words, the neighbors' projects were questioned/delayed/revised even when the proposals were completely within the printed guidelines. It almost goes without saying that the applicants should be at minimum held to meeting the most minimum of requirements!!!)

The Character of this Neighborhood.

In contrast with expansive lawns, huge set backs and extensive architectural integrity recently mandated and then approved throughout this neighborhood, with tucked away parking and respectful design features, the proposed application is not consistent with the ever-evolving neighborhood standards.

[We can provide photographs of some of the recently approved two-story projects. A world apart.]

THIS IS NO LONGER A STREET WHERE PROJECTS WITH MINIMAL CODE REQUIREMENTS ARE APPROVED, BUT RATHER EXTRA CLEARANCES, LESS THAN THE MAXIMUM HEIGHTS, AND EXTRA SETBACKS HAVE BEEN REQUIRED. (Examples available upon request.)

Numerous plans filed with City, such as 1936.

As we may have mentioned, a BENDING OF THE RULES IN THE OPPOSITE DIRECTION – THAT RESULTS IN THE FURTHER OBSTRUCTION OF PUBLIC VIEWS OR IS ESPECIALLY IMPOSING FROM THE STREET – CANNOT OR SHOULD NOT BE TOLERATED IN THIS HIGHLY SENSITIVE LOCATION. Particularly on the Ocean/View Side of the Street!!

Clearly, on this particular street, the Planning Commission, the Architectural Board of Review and the Single Family Design Board have been using each opportunity for discretionary review (such as this!) to try to amend the design or planning mistakes of the past, for a more respectful and aesthetic neighborhood design. (Although a painful process when one is going through it, we all ultimately benefit, we are all ultimately protected and reap the benefits of a neighborhood enjoying Santa Barbara's high aesthetic and environmental standards.)

The Neighborhood is counting on, and deserves, an equal level of design and scrutiny.

The applicants' illegal behavior (initially the illegal garage conversion) has had a domino effect in the neighborhood (in two ways: by confirming the neighbors' interpretation of the Zoning and Standards, showing that construction of a lateral carport in that specific location was not possible and therefore design and planning were encouraged to take place based on those views.

Furthermore, the illegal behavior has now further enabled the applicant to leap-frog through an otherwise stringent city review process and we respectfully bring to your attention that this is not fair, when the other neighbors are playing by the rules and upholding higher standards. Perhaps rules can be bent when it creates a win-win situation, but not when the public is being hurt through the process.

C. The Proposed Development Is Not Compatible With The Neighborhood, And Its Size, Bulk And Scale Are Not Appropriate To The Site And Neighborhood. (SBMC, Sec. 22.69.050, Sec. A2.)

AND The Proposed Carport is Not Designed With Quality Architectural Detail. (SBMC, Sec. 22.69.050, Sec. A3.)

This carport, which was NOT outlined with Story Poles – possibly because of its large size and overhang, will be aesthetically Offensive in terms of bulk, scale, and the way it would extend out – well beyond the natural cut-off point of the Pine tree trunk. I (We note that some attractive and positive changes have begun to be made by the applicants in preparation for this review process, and we hope that signals there is receptivity to having a more visually compatible Carport design if only the Staff Hearing Officer will grant time for that revision to be submitted.)

A 19' long carport in this location would be glaring – didn't even show this full length this weekend with the story poles! If there's no problem with the length, no offense to the numerous pedestrians, joggers, bicyclists and dogwalkers who frequent this location, why would the full length of the obstruction have been hidden? The weekend was the time when most visitors would see the proposal, and therefore a less-than-accurate, misleading impression has been left with the majority of those who would be impacted.

See
Story
Poles
in
Attachments
B
and
C

This proposal is not a tasteful, minimal application for a carport – which it should be since it is in an area with very few carports, and that's already a controversial proposal to begin with. Rather, it is a very “in your face” carport with significant scale, bulk and height. Given the potential blockage of the public's ocean and island views and vistas, a flat carport without a pitched roof could have been proposed, for example, or a shorter one in length. And, although only 6'6” is required by City design standards, the applicant is proposing headroom of 8 or 9 feet, and a total roof height of 11-1/2 feet!! Furthermore, given the slope, the roof at the entrance would be 12 feet high! Given that this is so close to the street, and the sensitivity and delicacy of the ocean View Corridors that sparkle in the sunlight, this appears to be an offensively huge distraction in exactly the wrong spot. Effort should be taken to reduce the impact toward the public sight lines.

There is a more tasteful opportunity for a smaller (still technically allowable) carport, given the natural line of the pine tree trunk.

D. SKYLIGHT THAT OPENS FROM THE SECOND STORY INTO THE SKYLINE ALTERING THE ROOF PROFILE AND VIEWS – triggers requirement for SFDB Review..

See
SFDB
guidelines.

Skylight NOT EVEN POINTED OUT IN THE STAFF REPORT, yet your signature would have approved it , inappropriately, for the very first time!

I need to point out to you that this is therefore (and for reasons in Section III) A FURTIVE, SNEAKY, INCOMPLETE APPLICATION! (while all focus was on the carport!)

See
Attachments
H I and
J

The proposal to legalize the Second Story Skylight would have to describe that this is the type that impacts and alters the visual roofline of the second story, in a very sensitive ocean and island view neighborhood.....it is the type not typically approved in Santa Barbara ... it is the type that opens vertically, skyward, and is usually found on mobile homes and on Recreational Vehicles, yet here it is ON THE OCEANSIDE BEFORE THE VERY FIRST COASTAL STREET. THIS IS A SECOND STORY ADDITION AND IT IS NOT IN THE SHO'S PURVIEW TO CONSIDER AND APPROVE THIS SIGNIFICANT ALTERATION TO THE SECOND STORY. THIS IN AND OF ITSELF IS LISTED AS A SPECIFIC TRIGGER FOR REQUIRED SINGLE FAMILY DESIGN REVIEW (see attached guidelines.)

Thus far, despite the neighborhood sensitivities, SFDB review had not been automatically triggered even though the entire project involves 875 square feet of development and added 29% of internal square footage to large two-story home, plus a carport). However, that was before anyone at the City realized that the Plan would include the proposal to legalize an as-built, unpermitted skylight . If this proposal is not declined, it should now have to go to SFDB for review, because of a significant 2nd Story unpermitted alteration.

E. The Project Violates The Good Neighbor Guidelines. (SBMC, Sec. 22.69.050.)
-- in both substance/content (such as neighbors' cherished and valued private views)
as well as process (see below).)

We have been trying to get the applicants to hear our proposal that would represent a more neighborly and public-spirited way to fulfill their family room and carport objectives. If the Staff Hearing Officer provides assurance that the Enforcement Case can be extended, we hope this application can be denied so that the applicants will have time to re-work their application in a way that fulfills other more public-minded objectives on this highly sensitive street in addition to their own urgent, expedient objectives. We can share from experience that the process is long (theirs won't be as long as ours!), but it ultimately feels good to know that broader community objectives are being addressed along with our private objectives. We have confidence that can happen here, with the support and encouragement of the Staff Hearing Officer or Single Family Design Board and/or Planning Commission.

These neighbors have known that, in addition to public views, this area represents our only ground level ocean and island view corridor. We had a very clear, very accurate knowledge of the City's rules and ordinances. Our knowledge was reinforced and confirmed by the applicant's illegal conversion of their garage because it demonstrated that, although these applicants have secured permits for other projects, it was clearly not possible or easy to replace the two covered parking spots. With this confirmation and

reliance on our knowledge of the codes – particularly where there is also a 20 foot easement between the two properties,):

1. As part of a 4-5 year review and approval process, we went through the Huge architectural and construction expense/ordeal to re-design and relocate our long driveway from the east side of our property to the west to maximize views (after City did not approve our preferred locations but we refused to block our own ocean/island views.) [From the start, we chose to move our garage from the most valued part of our property, so as not to block these protected, cherished ocean and island views.]
2. we designed a ocean-view garden courtyard to take advantage of these views We hope one day in the future to invite our neighbor/ the applicants to one of our community gatherings and we want them to proud of the way their property looks from our and the public's vantage point.
3. We also designed a special entryway and stoop on the side of our house -- extending from our kitchen and Great Room, created especially to sit in the morning sun and see the ocean as we plan our events for the day.
4. The City even approved our unusual placement of our barbeque area in the front of the house to take advantage of these ocean and island views.
5. We also have made efforts to preserve the views protected by the SB View Ordinance.

We hope a revised proposal can and will be submitted, showing better communication and allegiance with “good neighbor guidelines”.

F) NEGATIVE PRECEDENT IN TERMS OF DESIGN (See SECTION III FOR NEGATIVE PRECEDENT IN TERMS OF REVIEW PROCESS.)

Concern of the **NEGATIVE PRECEDENT** that would Be Set (others could then propose carports and convert their garages to living space too to similarly max out their spaces, which would downgrade the neighborhood, if proper design and neighborly considerations aren't being consistently enforced slippery slope, leading to degradatio of neighborhood, or the expedient conversion of garages for ugly carports simply to max out our living space at minimal expense. **(just imagine the neighborhood with all CARPORTS instead of existing GARAGES!!!)**

- Rather, this opportunity should be used to set a good example for the future, reinforcing recent good design approvals on this ever-evolving, highly delicate and environmentally & aesthetically sensitive, increasingly "high end" street. *Inspire. Set an Example.*

G) There is an Alternative for the applicants to secure a family room that would not violate the Coastal View Act to such a degree as this proposal. A shorter carport (approval in concept already secured by the City Attorney as well as the Planning and Transportation divisions.)

Will
show,
for
example,
Elise
Way
photos

H. At this time, the trees and landscape that are supposed to be signed off, initialed and approved by the Staff Hearing Officer should not be determined by the Staff Hearing Officer because those are the subject of pending litigation in Santa Barbara Superior Court. (And we note that some very significant hedge details are missing from the plans!)

III. Mistakes / omissions/ oversights

In light of the tremendous focus on detail in these highly sensitive narrow ocean and island views, we have found that this application (the staff report, the three pages of Plans and the process itself) is fraught with mistakes, omissions, oversights, lapses in process, misrepresentations and a few sneaky ways of presenting information, potentially to sneak under the City's or the public's radar. We respectfully request that the application be declined because these lapses and areas of ambiguity have caused confusion and a lack of clarity. No permanent decision affecting so many people and generations should be made without more accurate information having been reviewed at length by the interested public.

Perhaps because of the pressure of the Enforcement Letter, this whole process has been rather hasty. With the original garage illegally converted, and a swimming pool and fence already approved in 2006 in a manner that already encroaches the required 20 foot ingress/egress easement, THERE IS NO other location for for the covered parking and a family room without returning the Garage back to its intended purpose HENCE THIS ATTEMPT AT TRYING TO GET A CARPORT APPROVED IN THIS LOCATION, since a garage is evidently not fitting in the squeezed, compacted space. We request that time be granted for a more thoughtful revision – a slightly less lateral carport -- to address some of the concerns of the neighborhood on behalf of the public.

A. Just need to clarify ... there is a statement about the “removal of as-built patio and deck structure and the slope repair and revegetation at the coastal bluff” in the Staff Report for this application. Does not appear to relate. If that was incorrectly cut and pasted from a different document, what else is similarly incorrect or hurried over?

B. Within the Staff Report, there is a glaring omission of the very important fact that this Approval is dependent upon Transportation's exception or waiver of the printed parking standards. In a view-oriented neighborhood like this, planning and decisions DEPEND upon rules being upheld. (Projects with design review requirements were held to an even higher standard, so of course minimums must at least be respected in all the other cases, unless they are bent in a way that honors the public ocean views..)

Paradoxically, the waiver being proposed or offered by City transportation is (at least partially) based on the Thomases' illegal actions and behavior! Specifically, the Transportation Planner's quotation, in print, from the City to the Thomases (in the

2/19/09 "30-day Development Application Review Team /DART Comments, Submittal #1", the Transportation Division wrote, "...Transportation Planning can support the waiver of the Parking Standards for the amount of back up, given that the access is existing and the turning maneuver for the parking does not change with the current application." NOTE: TRANSPORTATION PLANNING WOULD BE RELAXING STANDARDS AND GUIDELINES FOR THE THOMASES BECAUSE THE THOMASES ARE ALREADY DOING IT!!!! -- BUT THEY HAVE BEEN DOING IT ILLEGALLY SINCE ONLY THE ORIGINAL APPROVED GARAGE LOCATION - but not their temporary parking area -- FIT THE GUIDELINES COMPLETELY AND FULLY, THERE WAS PLENTY OF LEGAL DISTANCE FOR TURNING INTO THE ORIGINAL GARAGE!!! AND THERE WAS EVEN THE EXTRA UNCOVERED PARKING SPOTS FOR RESIDENTS OR GUESTS IN FRONT OF THE PARKING STRUCTURE, JUST LIKE VIRTUALLY ALL THE OTHER HOUSES ON THE STREET HAVE. THIS QUOTATION FROM THE DART GUIDELINES IS CLEAR PROOF THAT THE THOMASES WOULD BE UNFAIRLY GETTING AROUND RULES AND STANDARDS BECAUSE THEY'VE BEEN DOING IT ILLEGALLY! THIS IS NOT FAIR. THE NEIGHBORHOOD IS RELYING UPON GUIDELINES AND STANDARDS TO BE UPHELD. KNOWING THE GUIDELINES, One can visually see THERE IS SIMPLY NOT ENOUGH LEGAL DISTANCE FOR MANUEVURING AND PARKING. AND WE KNEW THAT FROM TRYING TO FIND A NEW PLACEMENT FOR OUR OWN GARAGE OR CARPORT, and now here is the evidence. **The fact that Planning or Transportation Staff says that "Given that the access is existing" is an INAPPROPRIATE LEAP** upon which this entire application is being built --- Applicants should not be rewarded for illegal behavior. And exceptions should not be made in ways that obstruct the public's views. The access that is existing WAS ILLEGALLY OBTAINED, DID NOT UNDERGO ANY REVIEW! Can't we as neighbors have counted on the fact that rules would be followed to protect the neighborhood and the public's rights??? Mindy Thomas stated to one of us regarding her illegal garage conversion:: (paraphrasing) "If we get caught, we'll just put in a carport. That's what we want to do anyway eventually."

C. Page Three of the Plans has a drawing that is mislabeled, misleading, very confusing and manipulates viewers to believe that the proposal height and bulk of the carport is consistent with the size of the earlier garage door. Although mistakenly labeled "carport", the drawing of a garage door is large (9'x 18'), yet on Page 2, the interior garage opening size is shown as considerably smaller, in both height and width. *Perhaps this is being used to help justify such a tall carport, as if the historical precedent for a large size was there, but it was not.*

D. Perhaps inadvertently, but misleading information was provided at the City Counter on 5/28/09, indicating that the only change on the Plans was that the length of the carport roof was verified. There were important additional changes that were almost overlooked, and new copies of the plans were not made, because

of that patronizing assurance , discouragement and distraction. (understandably for the City to wish o expedite this troublesome application, but too much is at stake, it must not be hurried and community interest ought not to be poo-pood in such a manner.)

E. The metal fence running laterally from the driveway toward their house is at times labeled as 5' and othertimes labeled as 5'2" and in actuality shows considerable variation on the Plans, perhaps because of a slope of the terrain. This terrain and the sensitive nature of this application behooves the applicant to be more precise, rather than providing inaccurate, inconsistent, misleading information, and – in this sensitive case - the Staff Hearing Officer needs to be told precisely what has been approved in the past and what has not, rather than just being asked to blanket approve, without ANY delineation or description, "the improvements shown on the site plan signed by the Staff Hearing Officer on said date and on file at the City of Santa Barbara."

Very important, given the neighborhood dynamics and court cases, to have the fence heights carefully delineated, but they are very hastily measured, yet would be grandfathered in as 'approved'.

F. As mentioned in Section II (pg 15 / D), an illegal skylight has appeared on Page One of the 5/5/09 Version of the Plans, but not on Page Three (and not on the earlier versions). Very sneaky. This appears to be an attempt to have an illegal, unpermitted 2nd story addition approved without even pointing it out to the Staff Hearing Officer as something never approved in the past! This Skylight, on the top of a second story roof, represents a substantial change to the home's roofline in a view intensive neighborhood and therefore should represent the trigger, in and of itself (SEE ATTACHED GUIDELINES), for Single Family Design Review. This is suddenly no longer a first-story-only application, but rather it does "significantly alter a second floor". [What is being presented as a simple carport is actually the type not normally approved for homes in the City of Santa Barbara. It is the type that opens skyward, the type normally found on Recreation Vehicles and Mobile Home Parks. Since views over rooflines are now becoming the norm on the Mesa, this type of alteration can not simply be "initialed" and grandfathered in without proper design review and consideration.

G. Why do the plans say 361 Gross square foot whereas the Notices say 361 Net Square Foot. Which is accurate? This could misled interested parties during the review process, and also leaves ambiguity for the applicants in the future.

H. Suggestion on the plan: make sure the temporary fences are not misleadingly viewed as granting approvals for fences. The word "temporary" is not shown where the fences are pointed out.

I. STORY POLES --- Even if a correction is made on Tuesday or Wednesday, the Story Poles were on site, along with the bright yellow construction sign. All weekend, bicyclists, pedestrians, dogwalkers, joggers and neighbors were given the impression that was the size of the proposed project. When, without trespassing, we were able to measure the length of the alleged roofline, we discovered it is inaccurate, misleading, and was nowhere near 19' in length. That has now planted dozens of people with the sense that this is a relatively innocuous proposal in terms of carport location and size when, in reality, the Carport would extend longer eastward, directly into the airspace that is so meaningful for the public view corridor.

J. As mentioned in an earlier section, the trees and landscape that are supposed to be signed off, initialed and approved by the Staff Hearing Officer cannot or should not be determined by the Staff Hearing Officer because those are the subject of pending court cases in Santa Barbara Superior Court cases (and we note, some significant details are missing.)

K As mentioned in a different section, THE WORST PRECEDENT IN TERMS OF PROCESS – GIVING PEOPLE THE INCENTIVE TO VIOLATE THE RULES AND THEN THE CITY WILL JUMP OVER BACKWARDS FOR THEM TO MAKE IT WORK AT A MUCH LATER DATE, IF THEY "HAVE TO".

IV. Conclusion.

PROPOSED "WIN-WIN" SOLUTION:

Since the City Staff are already inclined to make an exception to the tune of at least 4 feet (in the turning area), we are wondering why that exception would have to be made to the detriment of the neighborhood? **Instead it could be made on the length of the carport roof rather than the reduction of the required turning area or surface area. This actually helps the City achieve its objectives, and would help to protect ocean and island views for the public.**

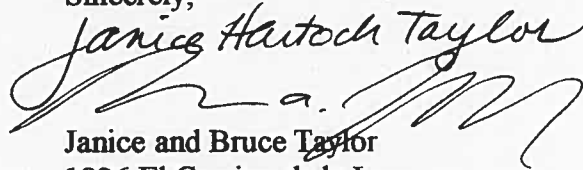
In the past, the applicant clearly had a design or plan in mind that maximized the use and views for themselves but, perhaps inadvertently, resulted in a fortress-like appearance from the neighborhood which shut out public views and of the ocean and the islands. Although that plan is no longer so evident, the current application is still reminiscent of that approach, but we understand that the applicants would not want to rock the boat on their enforcement/legalization process. The Staff Hearing Officer has the opportunity to ensure that a slightly revised application be submitted instead, in greater coordination with Good Neighbor policies, a specific design idea that has already received endorsement in theory by the City Attorney who checked with Planning and Transportation. This can be achieved by choosing not to approve this proposal, along with ensuring an extension of the period for Enforcement Compliance, OR perhaps by re-delegating the review process to Single Family Design Board, or Planning Commission.

In the previous pages, we have documented the special nature of this neighborhood and its views, and hope we have convinced our audience that absolutely NO

exceptions ought to be granted in this case unless at least equal compensation or exceptions are implemented that would respect and improve the public's ocean and island view environment. The good news is that there exists a win-win solution, that would allow for the Thomases to keep their family room, just building a carport that isn't as large and offensive to the public who frequent this highly desirable pedestrian and bicycle thoroughfare. This proposal must be declined for that scenario to have an opportunity to be implemented.

Given our personal background and history (Janice worked for the Central Park Conservancy preserving a public park for numerous diverse constituencies and has often volunteered for similar park and open space causes, and Bruce is a Santa Barbara native and son of nationally recognized, award-winning architect and landscape architect Richard B. Taylor who is remembered as a pivotal leader in Santa Barbara, chairing the Planning Commission and on the Board of the Trust for Historic Preservation), we feel we have a public-oriented legacy to uphold, and we should not allow a cherished public view corridor to be so severely obstructed for all time. Thank you for your careful review and consideration.

Sincerely,



Janice and Bruce Taylor
1936 El Camino de la Luz

cc: Paul Casey, Community Development Director
Bettie Weiss, City Planner
Jaime Limón, Senior Planner, Single Family Design Review Board
Scott Vincent, City Attorney
David Grokenberg, Esq.

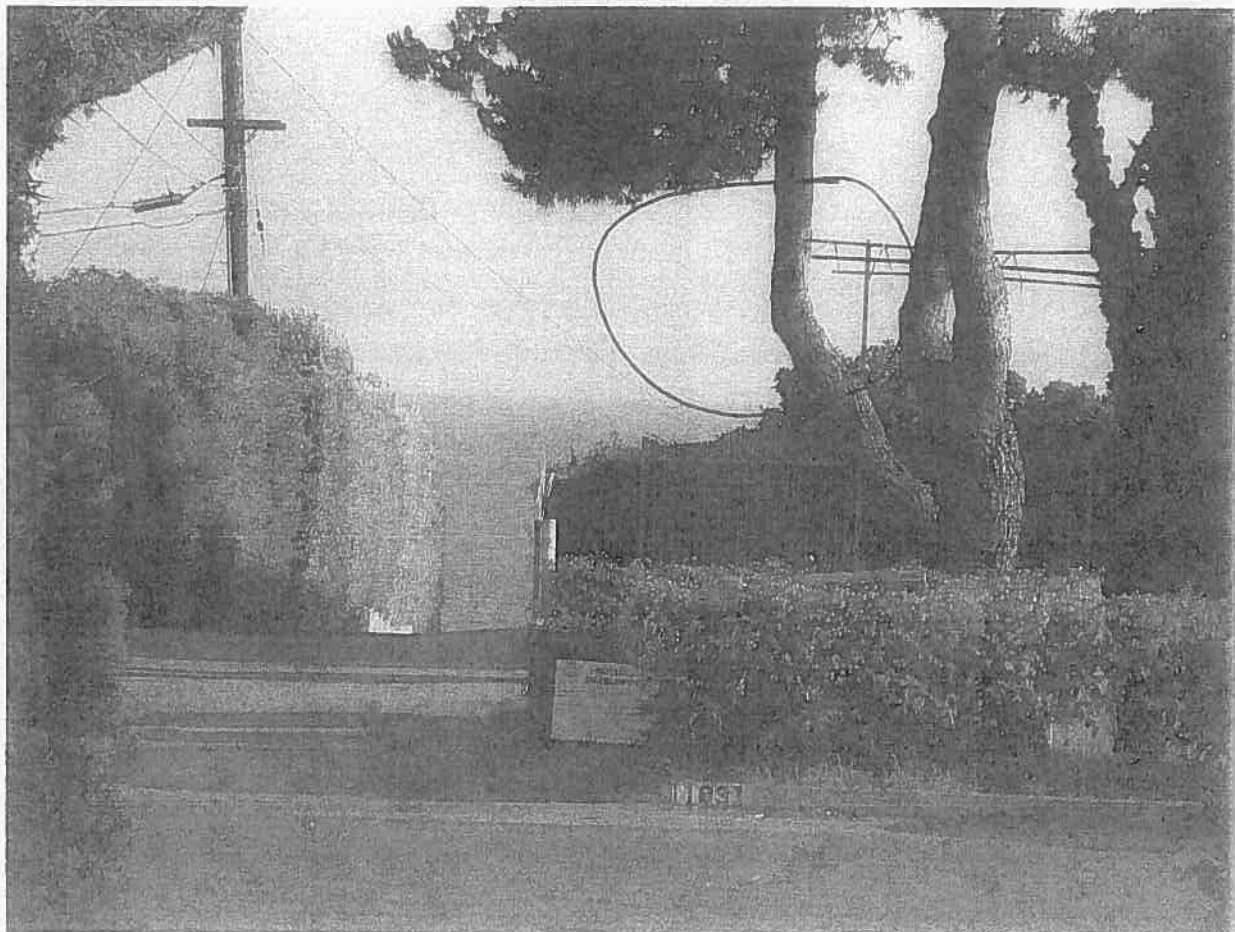
Documents referenced, appended here or available upon request:

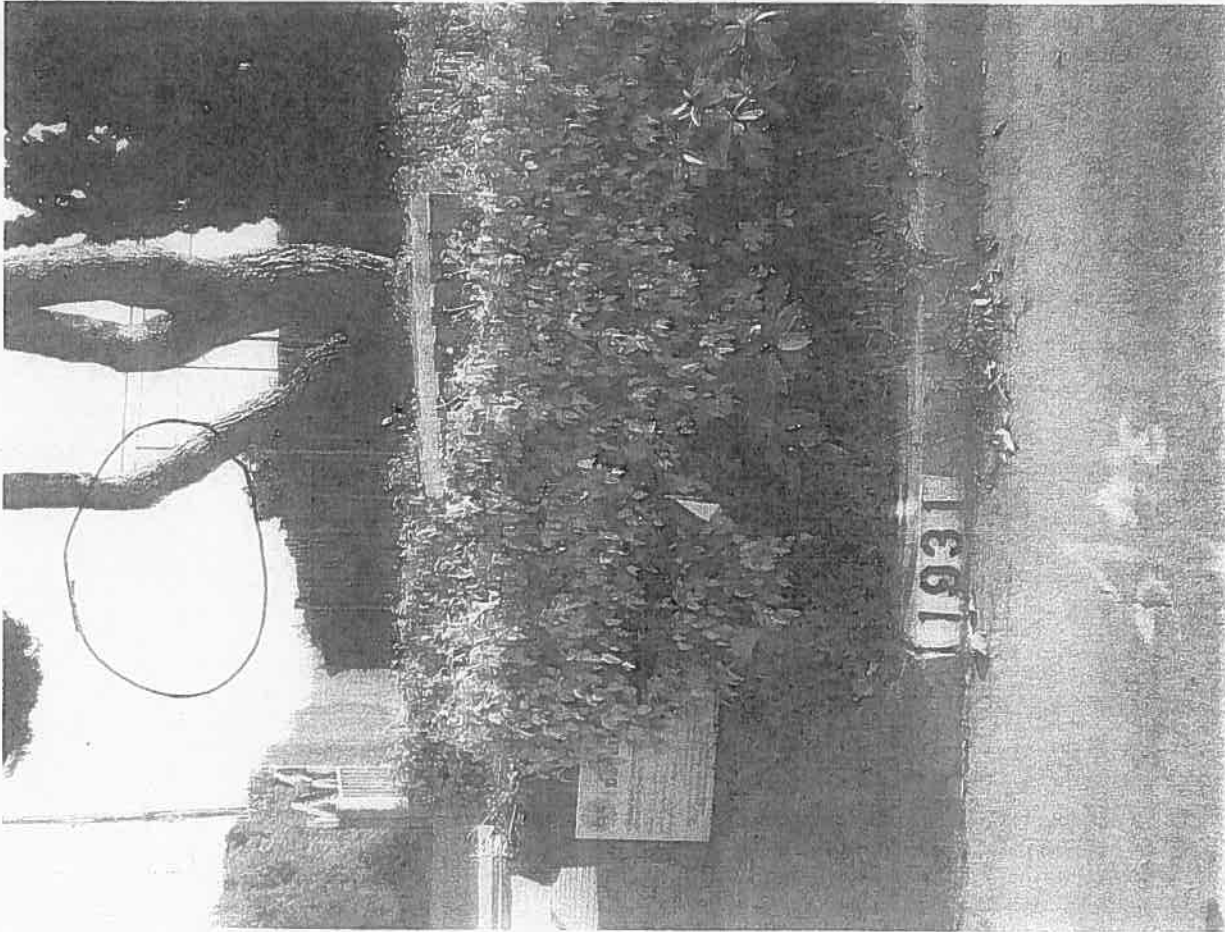
- ♦ Visual Resources Map & City Bicycle Map
- ♦ SFDB Triggers
- ♦ photos of ocean/island views
- ♦ photos of misleading, incomplete Story Poles which have lent false impression in neighborhood – do not completely outline.
- ♦ Copy of Enforcement Letter to the Thomases (on file in City records)
- ♦ Copy of City Attorney Email paving the way for the Revision
- ♦ Copy of Page 19 of Parking Design Standards (being waived) & Parking Enforcement Policy
- ♦ Copy of KEY PAGE OF earlier DART document with Transportation Quote
- ♦ Zoning Information Report for 1931 El Camino de la Luz
- ♦ photographs of parking behavior prior to application process but after illegal garage conversion (blocking access, even overnight, to neighbor's property)
- ♦ photographs of recent view blocking design which is now history.
- ♦ Wiscomb, Taylor, 2020 and other recent architectural plans for neighborhood

new
tree
this
has
been
trimmed
view
up

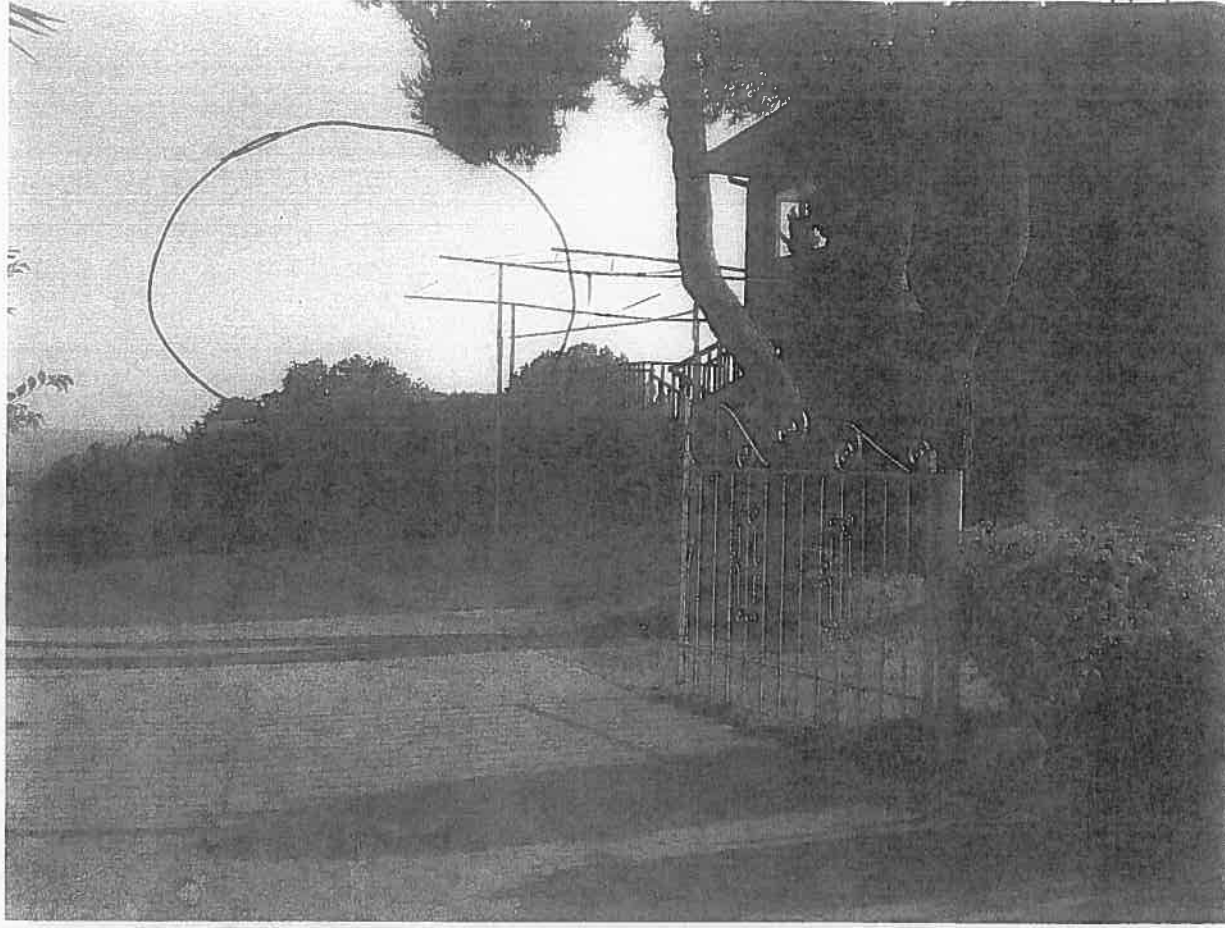


ALL WEEKEND
STORY POLES NOT
SHOWING FULL VIEW-BLOCKING
EAST EXTENSION !!



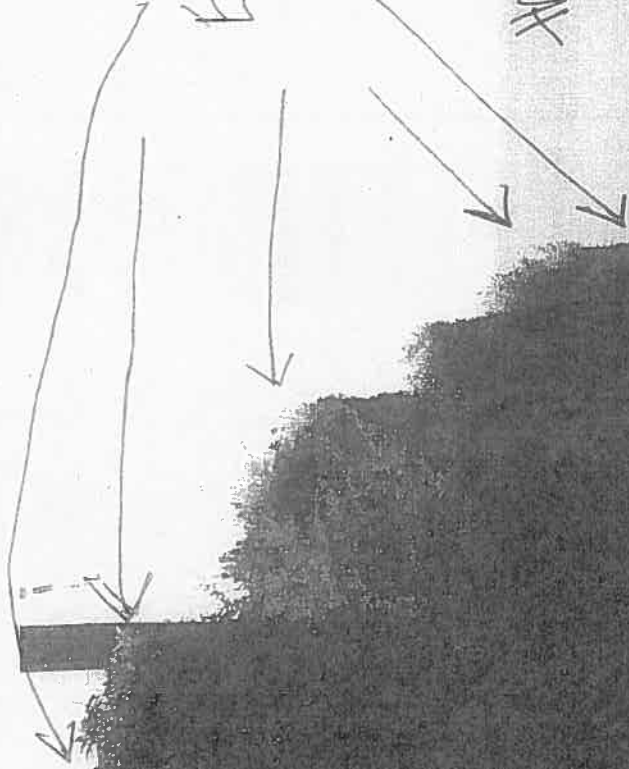


STORY POLES NOT PROPERLY DEPICTING PROJECT ON PLANS

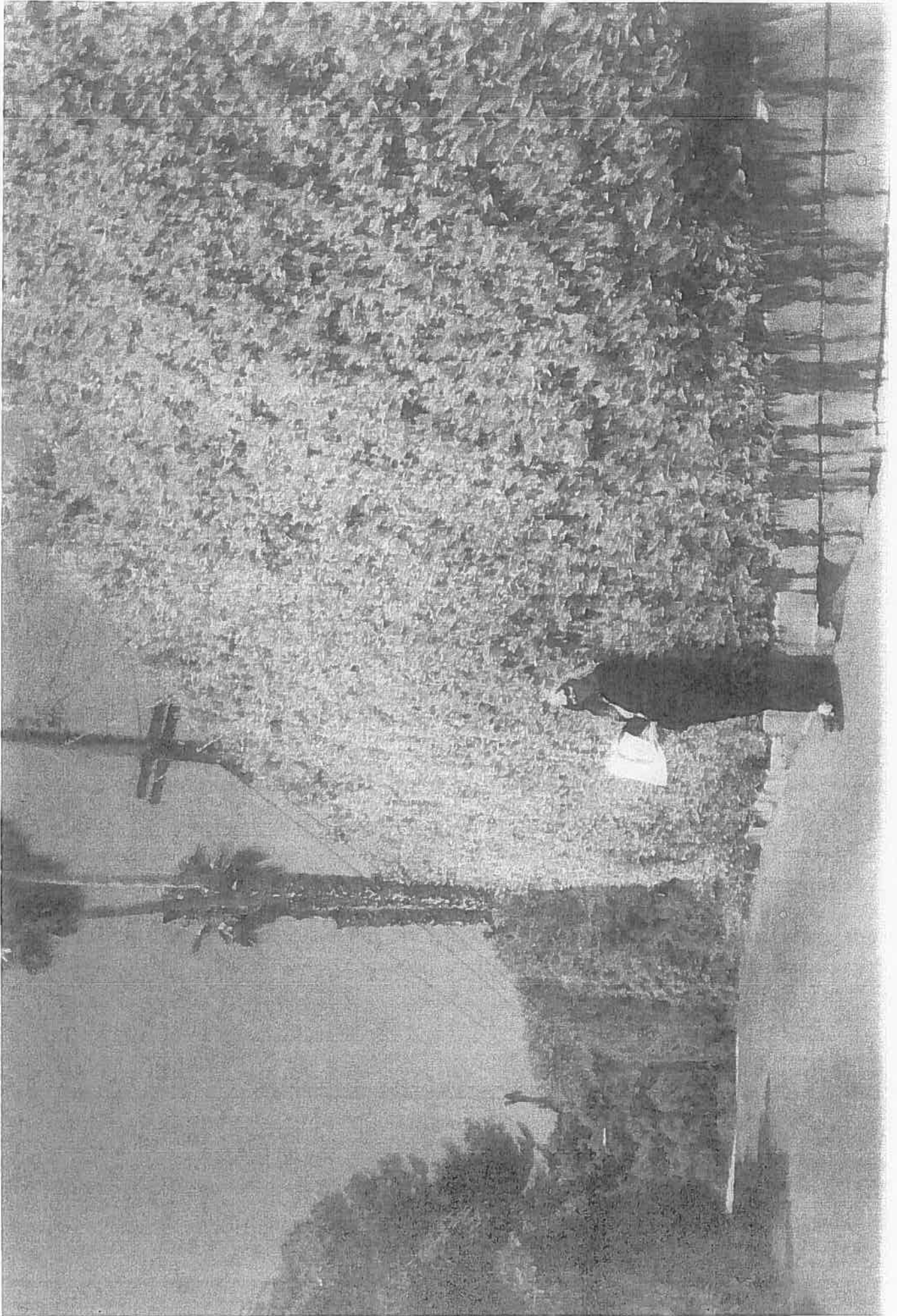


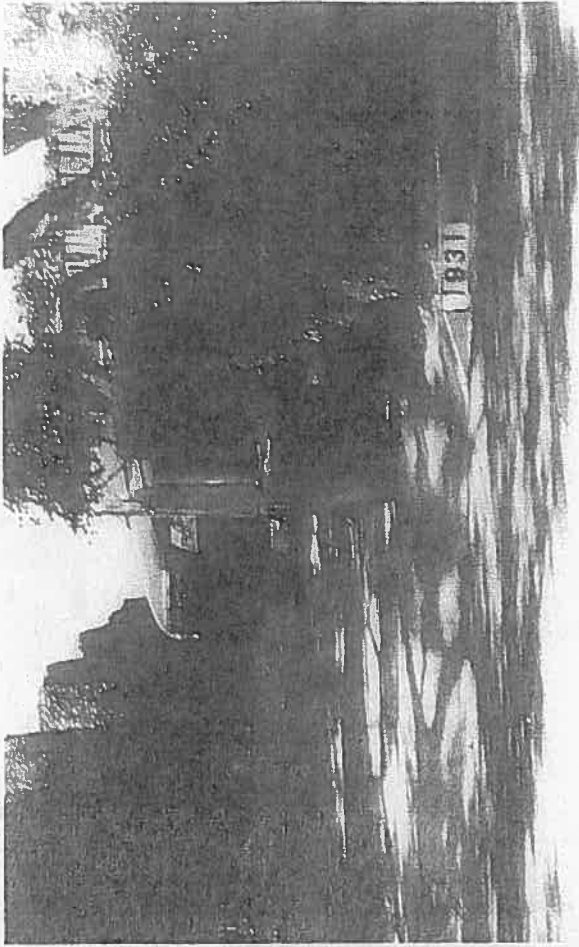
ATTACHMENT

Hedge
under dispute
EO 5x
Hedge
Public
Island
behind
through
carpenter
near
visible
Ocean
Blocking
Views of
that would be



Same Eastern Hedge (photo from 2007 and still not cut)

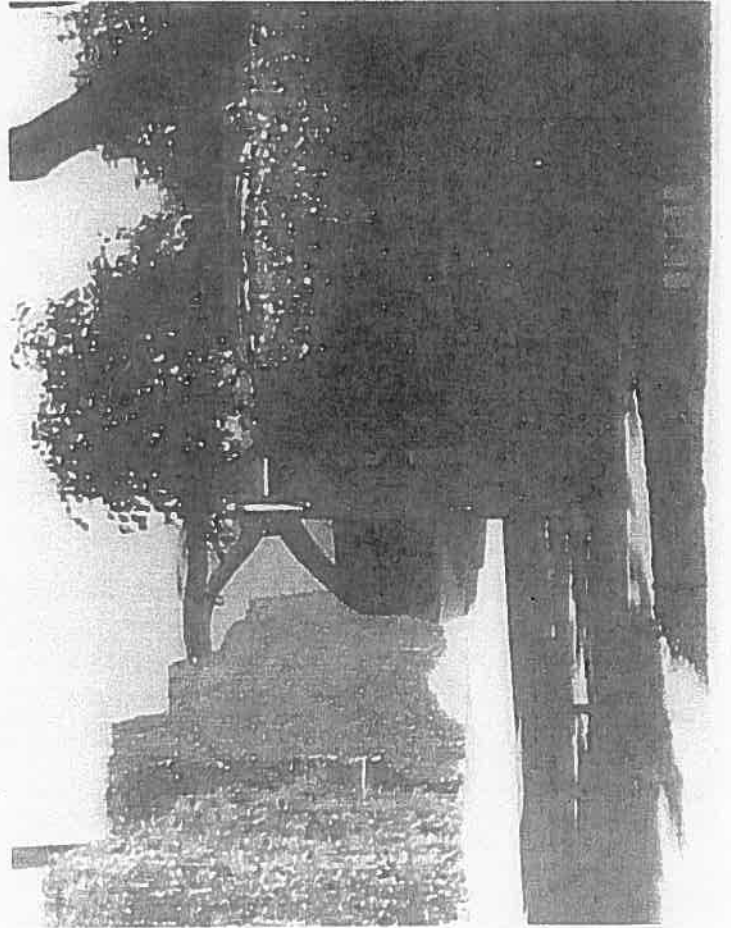
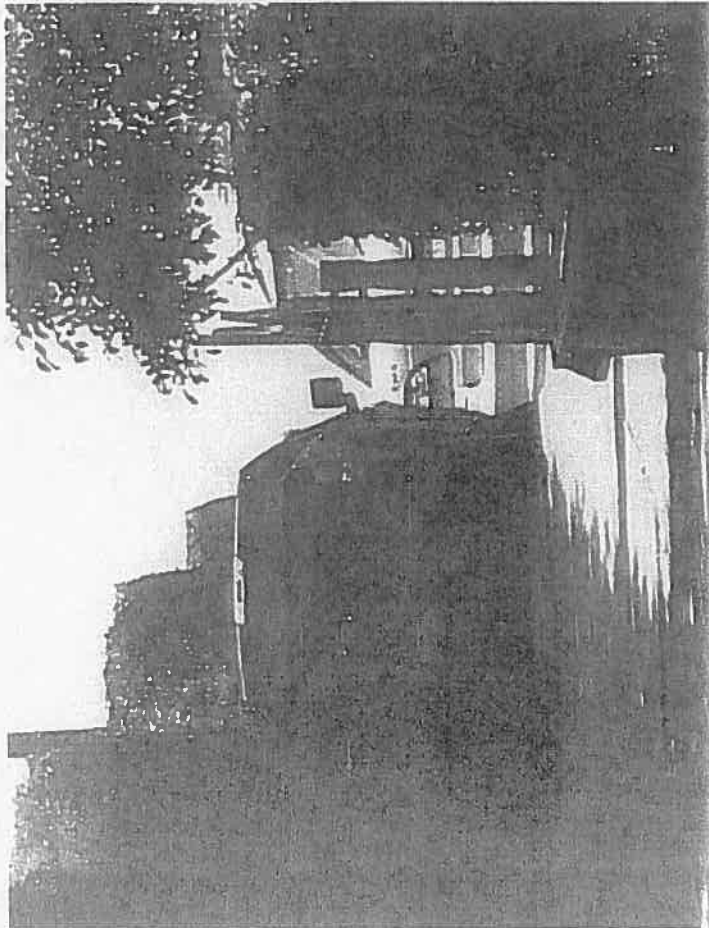




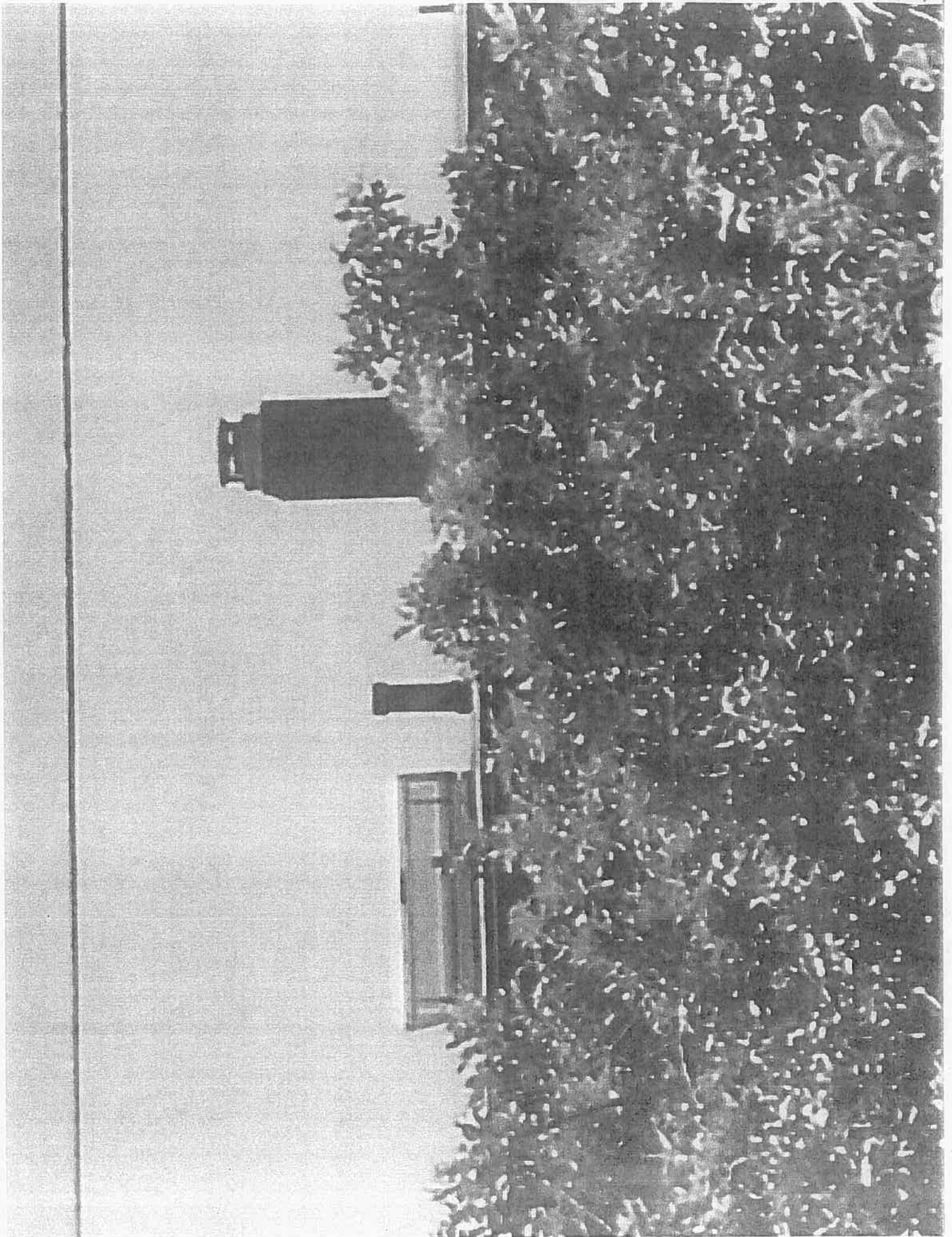
4 EXAMPLES OF APPLICANT PARKING
AFTER ILLEGAL GARAGE CONVERSION.



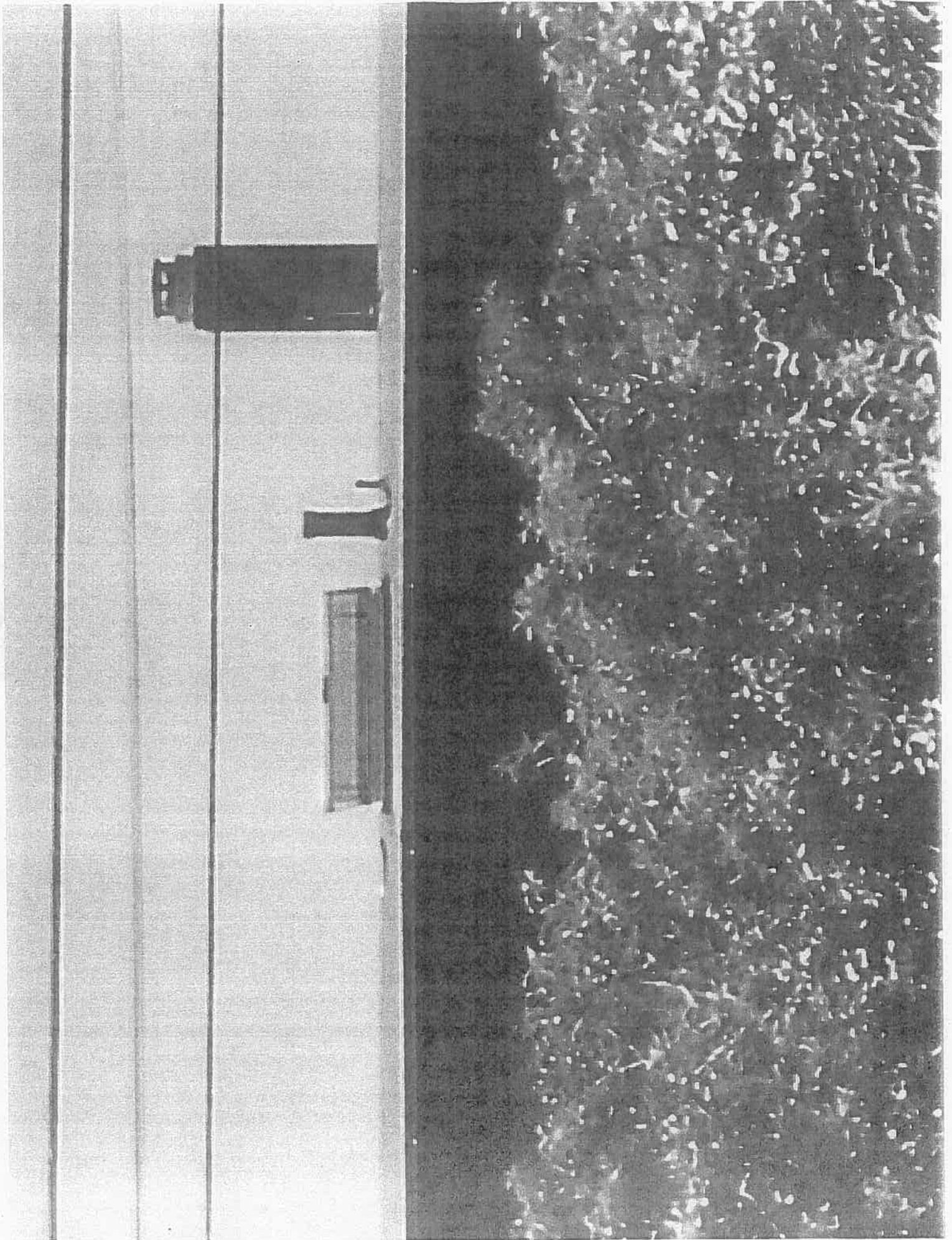
BLOCKS ONLY ACCESS
TO ANOTHER 2
PROPERTIES!!



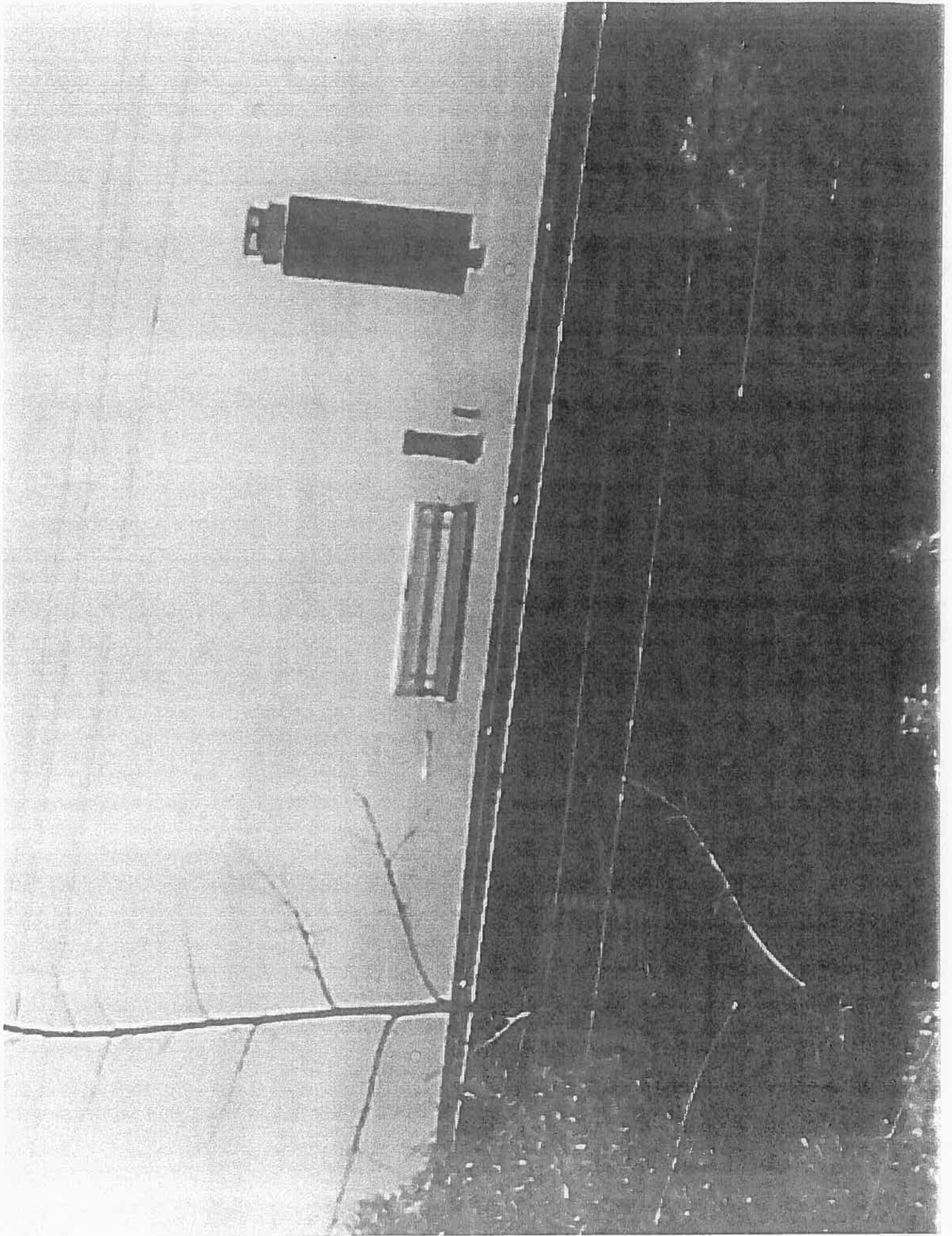
EXAMPLE OF
APPLICANT PARKING
OVERNIGHT (NIGHT PHOTO)
EARLY MORNING
BLOCKING EASEMENT (ONLY ACCESS)
FOR 2 OTHER PROPERTIES

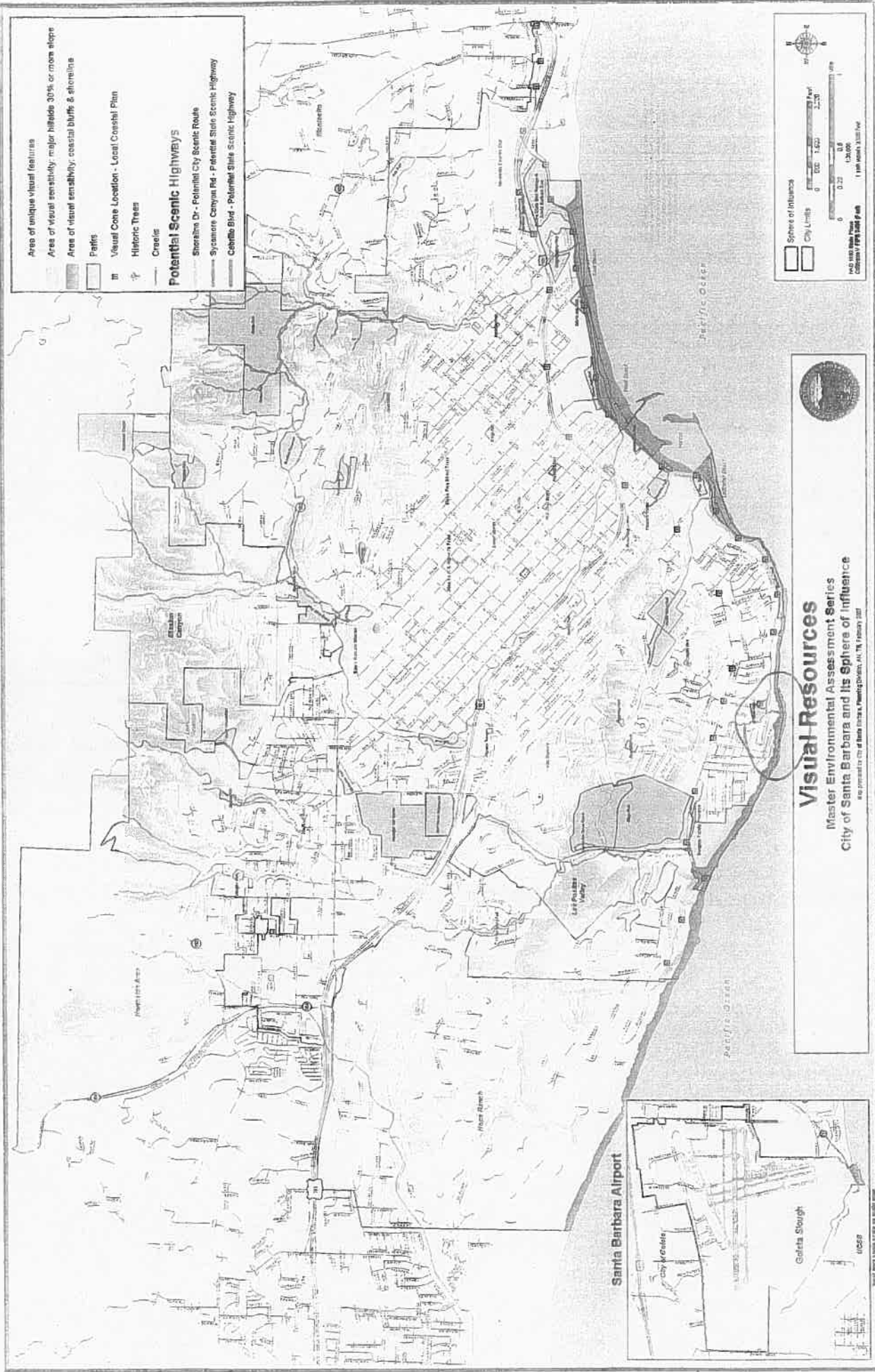


ATTACHMENT I



ATTACHMENT J

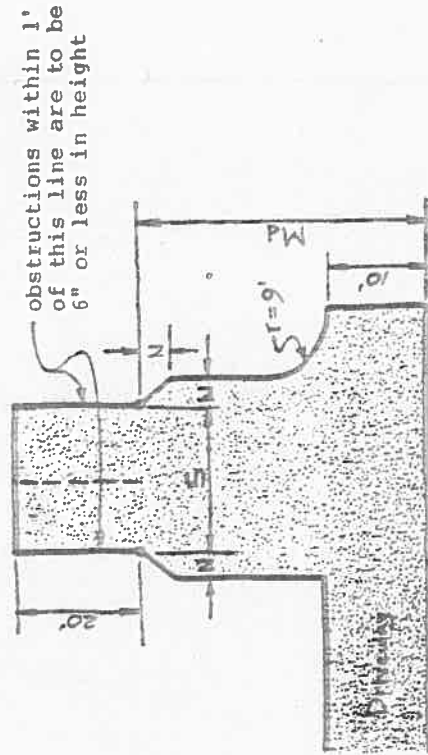




Case II:

Double parking stalls in garages and carports with vertical restrictions on both sides of the stall. If the width between the vertical restrictions is increased, a reduction in the backing maneuver requirements can be permitted as indicated in the following table:

REQUIRED MANEUVERING DEPTHS, H_d					
S	16.0	17.0	18.0	19.0	20.0
M_d	27.0	26.0	25.0	24.0	23.0
N	4.0	3.5	3.5	3.0	3.0
					2.5

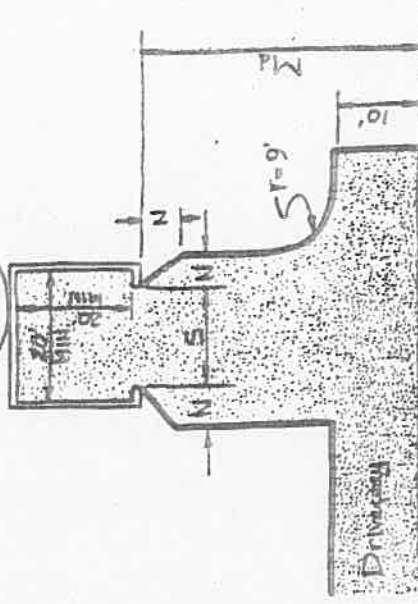


CARPORT



paved area to be free of obstructions

The interior height of carports and garages is to be not less than 6'6". Where storage cabinets are provided a height of 4 feet is allowed within 4 feet of the rear of the structure.



GARAGE

ATTACHMENT

ATTACHMENT
M

**CITY OF SANTA BARBARA
ZONING INFORMATION REPORT
REPORT #: ZIR98-0870
INSPECTION DATE: 08/19/98
EXPIRATION DATE: 08/19/99**

Page 1

Site Address: 1931 EL CAMINO DE LA LUZ

A.P.N.: 45-100-81 Zone Category: E-3/SD-3 Net Lot Area (+/-): 12000.00 s.f. or Ac.

The total number of dwelling units permitted on this property under current Zoning regulations can be calculated using the following chart (the Slope Density Ordinance also applies).

Zone	Max. Height Limits (feet)	Minimum Lot Areas for Newly Created Lots	Lot Area Reqts for Dwelling Units (sf)	Required Lot Frontage for Newly Created Lots (sf)	Front Yard Setbacks (feet)	Interior Yard Setbacks (feet)	Rear Yard Setback (feet)	Open Yard Req'd	Req'd Off-Street Parking Spaces	Distance Between Main Bldgs (Acc. bldgs not inc.)
E-3	30'	7,500 sf	--	60'	20'	6'	6'	1,250 sf	2 covered per d.u.	20'

Special Districts, or other attributes of the parcel include, but may not be limited to the following (if none, this area will be blank):

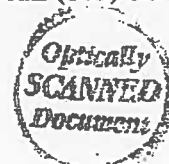
COASTAL ZONE

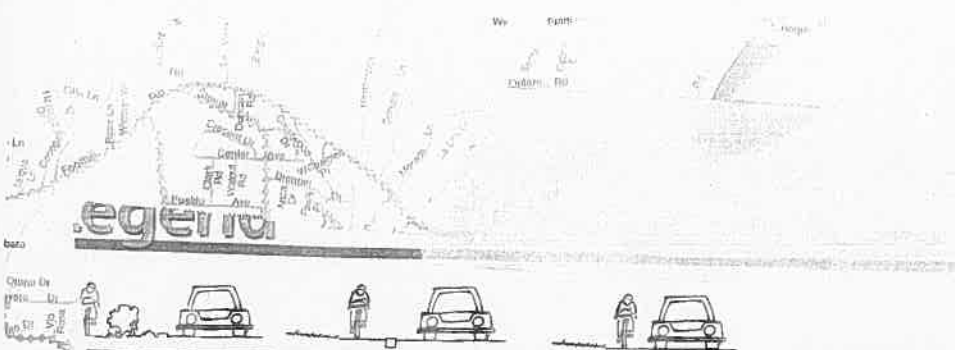
This property is located within the Coastal Zone. State law requires that all changes to the property undergo some type of Coastal processing, **WHETHER OR NOT A BUILDING PERMIT IS REQUIRED**. Please contact the Zoning and Planning Counter at (805) 564-5470 for more information.

****PLEASE NOTE****

This report does not include analysis of the provision of the Solar Access Ordinance, Santa Barbara Municipal Code Chapter 28.11 as it applies to this property. Questions concerning the impact of the Ordinance on specific structures should be addressed to the Planning and Zoning Counter located at 630 Garden St. You may also call (805) 564-5478 for further information regarding solar access issues.

If you are selling a home, you must disclose any known earthquake weaknesses that your house has to the buyer. The State's Seismic Safety Commission has published a booklet "The Homeowner's Guide to Earthquake Safety" which includes detailed information regarding earthquake hazard disclosure. This booklet is available at the City's Building and Safety public counter located at 630 Garden St. You may also call (805) 564-5485 for further information regarding earthquake issues.





Class I path is separate from tomobile traffic.	Class II lane On-street painted bike lane.	Class III route On-street bike route designated by signs.	Alternate route Other available or alternate route (unsigned and not painted)
[Symbol: Car and person on separate path]	[Symbol: Car and person on same street with painted lane]	[Symbol: Car and person on street with designated route]	[Symbol: Dashed line representing alternate route]

Traffic Solutions Offices

Bike locker location

Bikestation SB:
secure, indoor bike parking and showers

Amtrak station

CPCBR Caltrans Pacific Coast Bike Route

FOOTHILL ROUTE

NORTH GOLETA ROUTE

CROSS TOWN ROUTE

COAST ROUTE

STATE STREET ROUTE

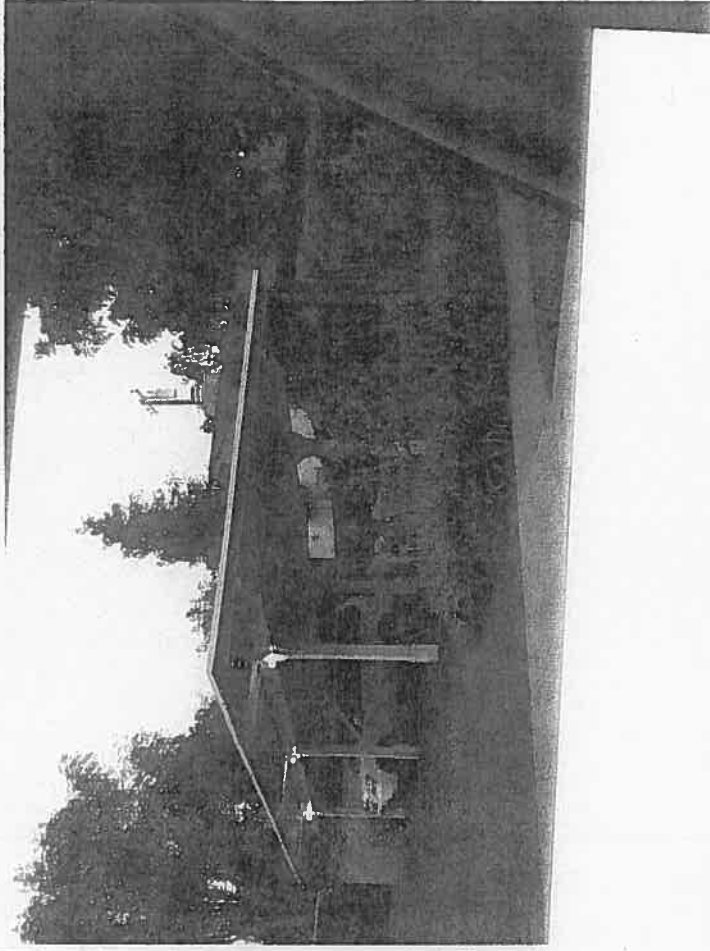
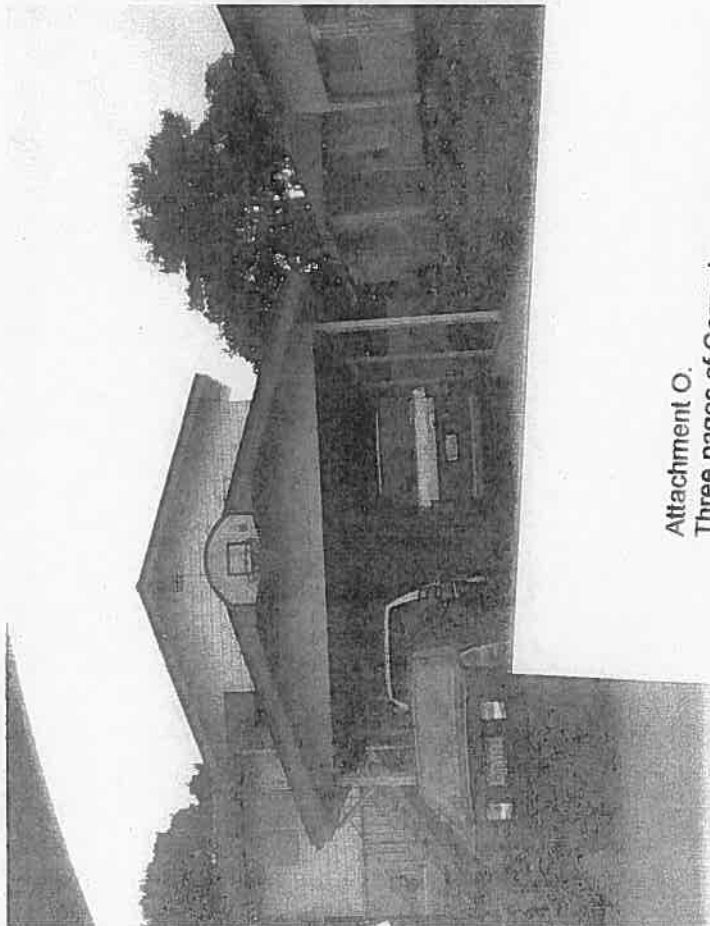
MARIA IGNACIO ROUTE

OTHER ROUTE

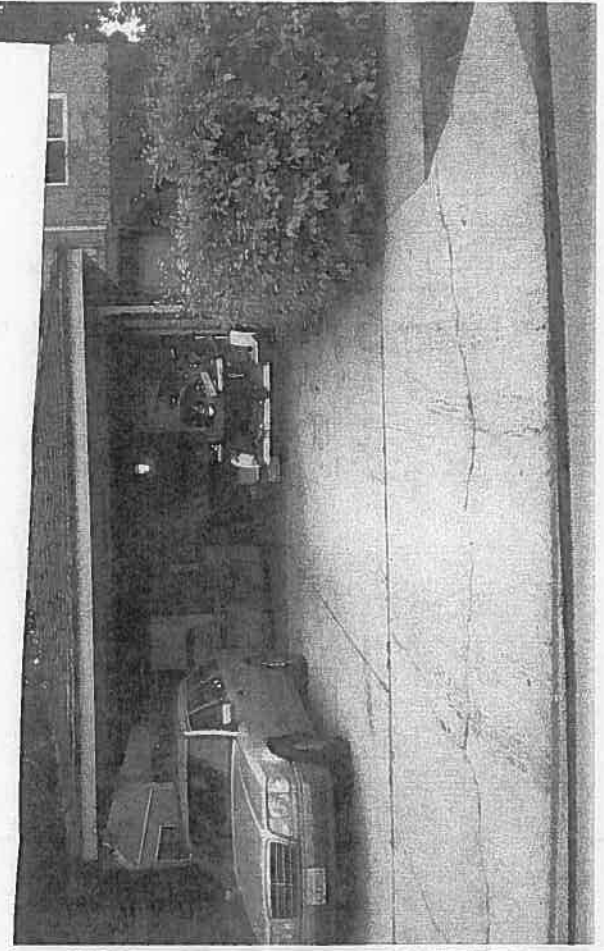
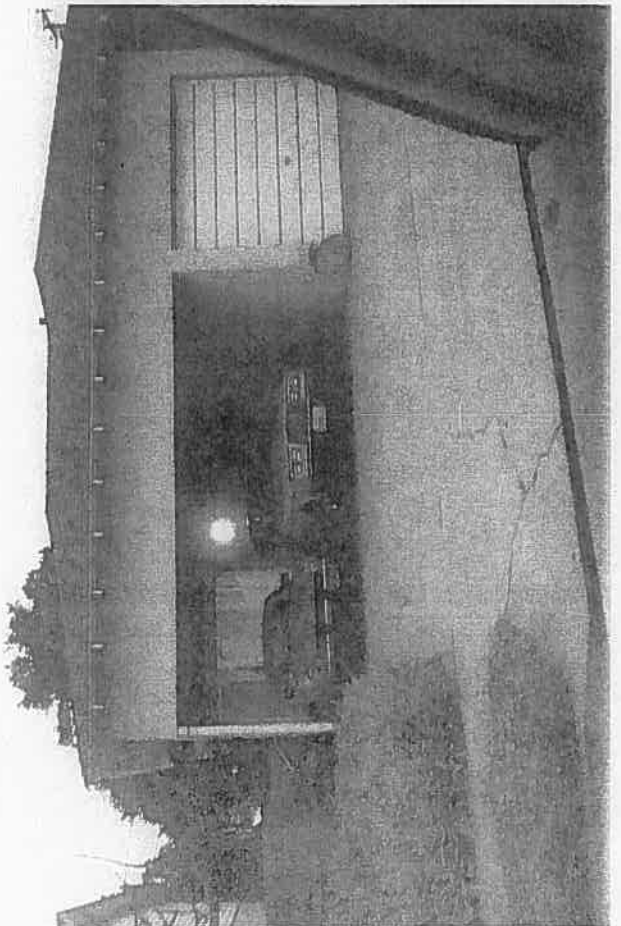
Attachment
N

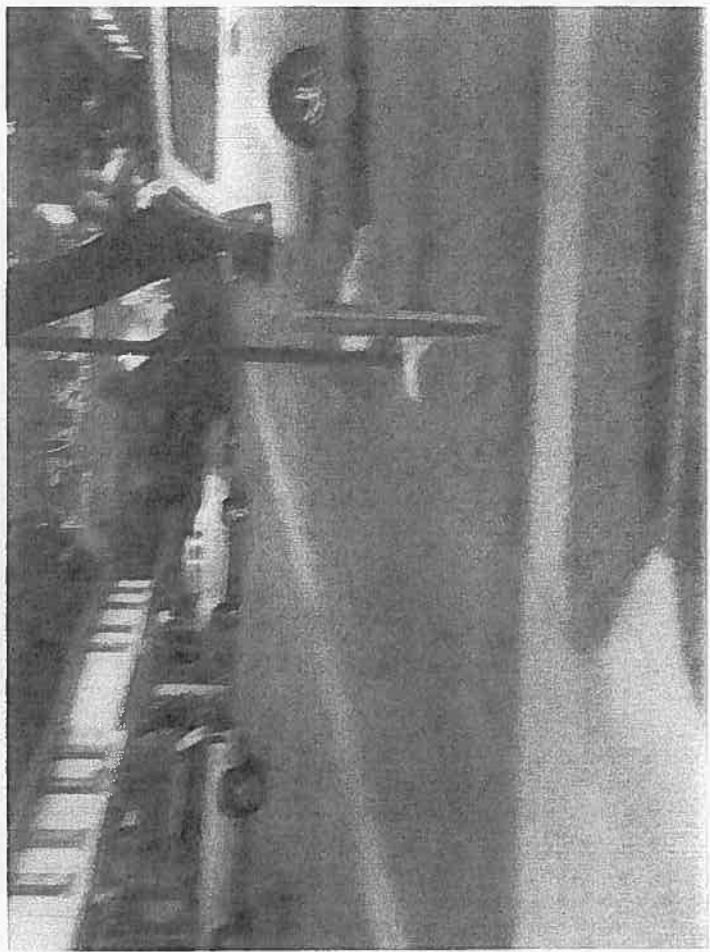
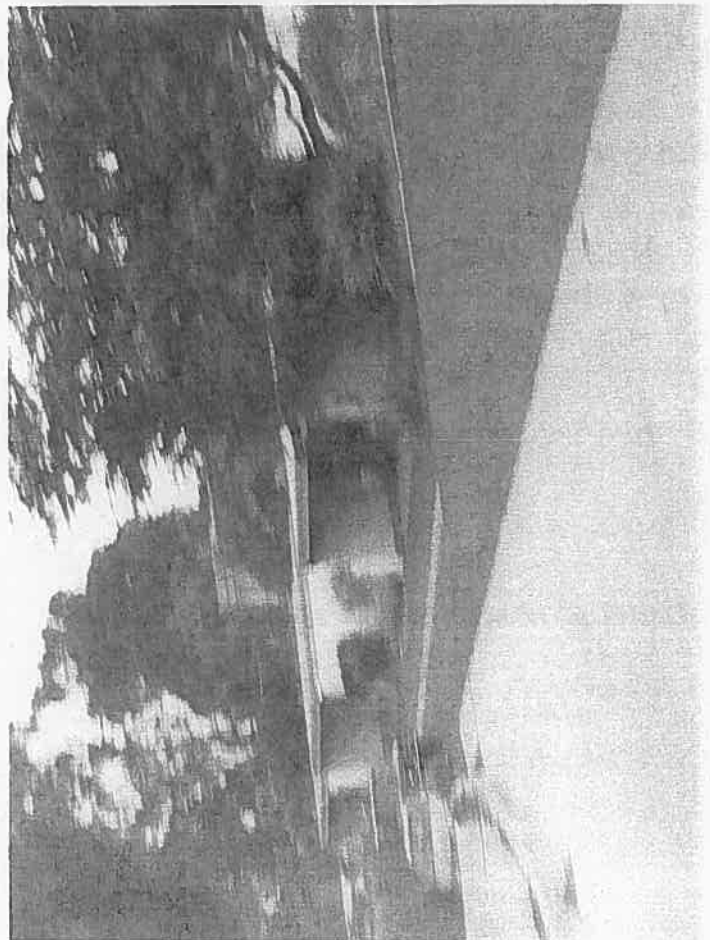
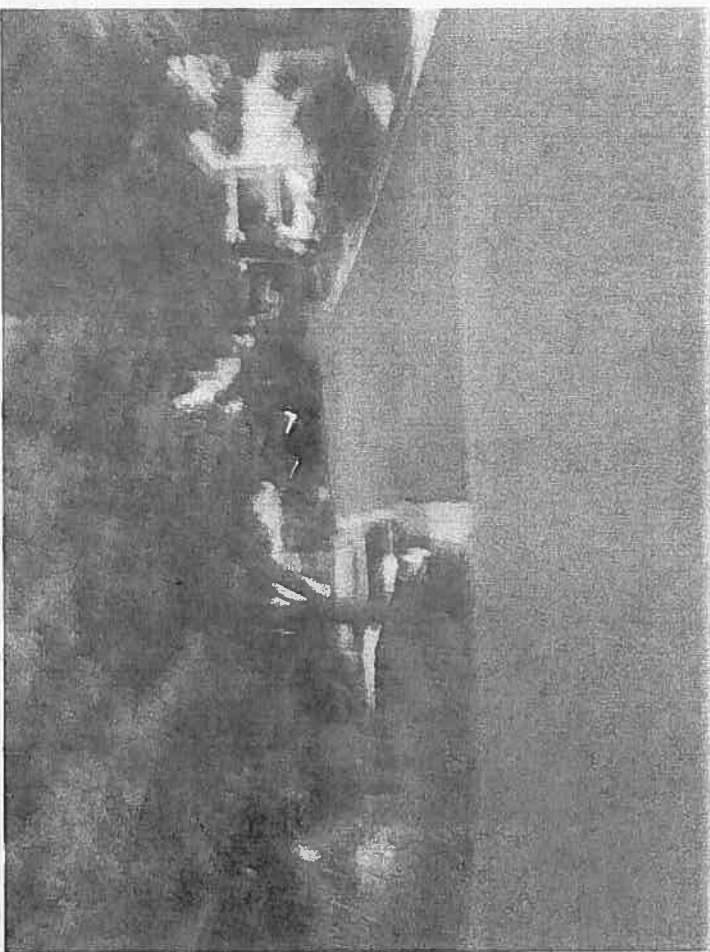


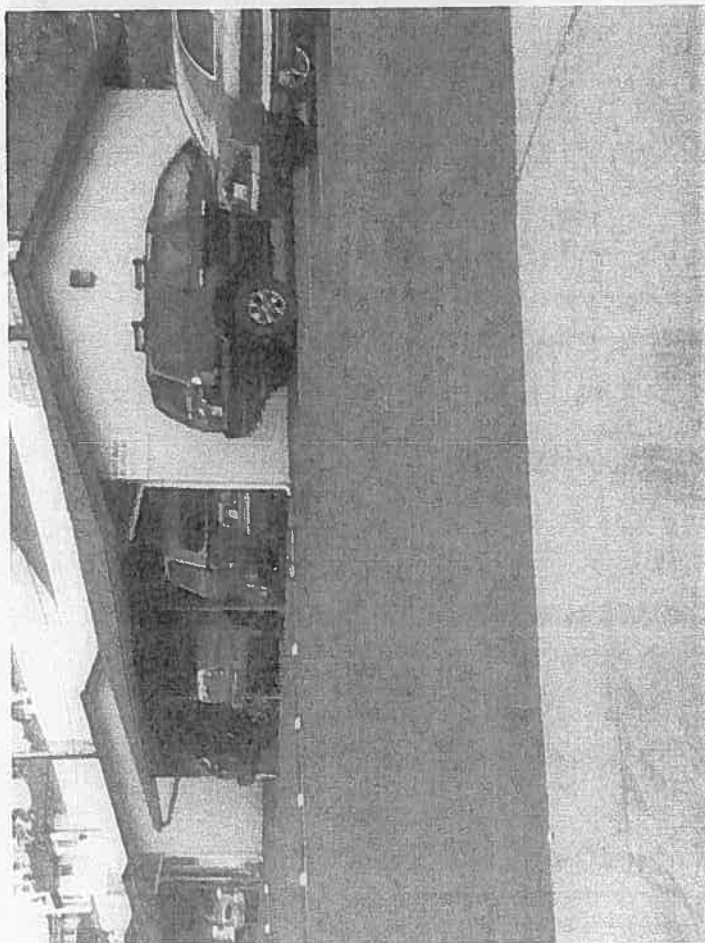
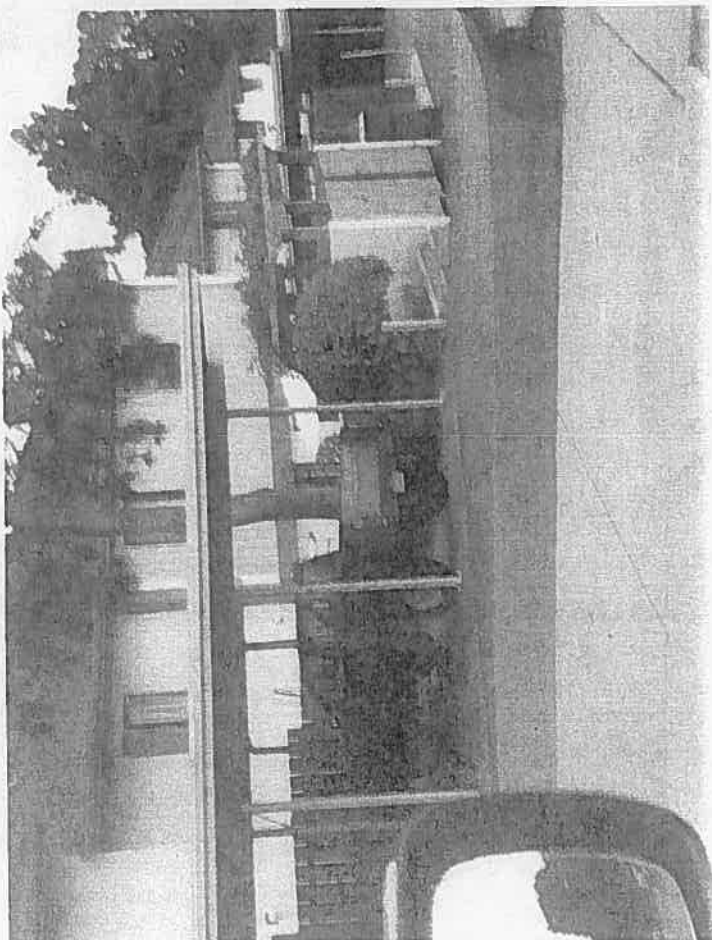
"The Traffic Solutions"
Santa Barbara County BIKE MAP



Attachment O.
Three pages of Carports on nearby Elise Way, creating different atmosphere than El Camino de la Luz. (photos presented at 6/3/09 Hearing.)







Attachment P.
DART (Development Application Review Team) document showing Transportation's reason for willingness to support a Waiver from Parking Standards

provide a Composite
→ water and sewer mains, existing
→ sewer lateral and the nearest fire hydrant

2. Identify all existing conditions including but not limited to centerline of street, street name, right of way dimension at least to centerline of the street, curb, gutter, sidewalk, and driveway approach at property frontage.

C. Fire Department

No additional information is required at this time.

D. Transportation Division

Provide a plan in 1" = 4, 8 or 10 feet scale. The plans didn't scale right so I had to magnify the drawings slightly to get them to be scalable at 1" = 4'. If I was successful, the parking works as proposed. So, if my magnification was correct, Transportation Planning can support the waiver of the Parking Standards for the amount of back up, given that the access is existing and the turning maneuver for the parking does not change with the current application.

V. ENVIRONMENTAL REVIEW

In order to complete environmental review for this project, as mandated by the California Environmental Quality Act, staff will need the information identified in Section IV of this letter.

Once the application has been deemed complete, Staff will begin the environmental review of the subject project. Based on staff's initial review, it appears that the subject project may be Categorically Exempt from environmental review. A final determination on the appropriate level of environmental review will be made once all necessary information has been submitted.

this is not comparing to the parking in legal garage!

VI. ADVISORY COMMENTS

A. Planning Division

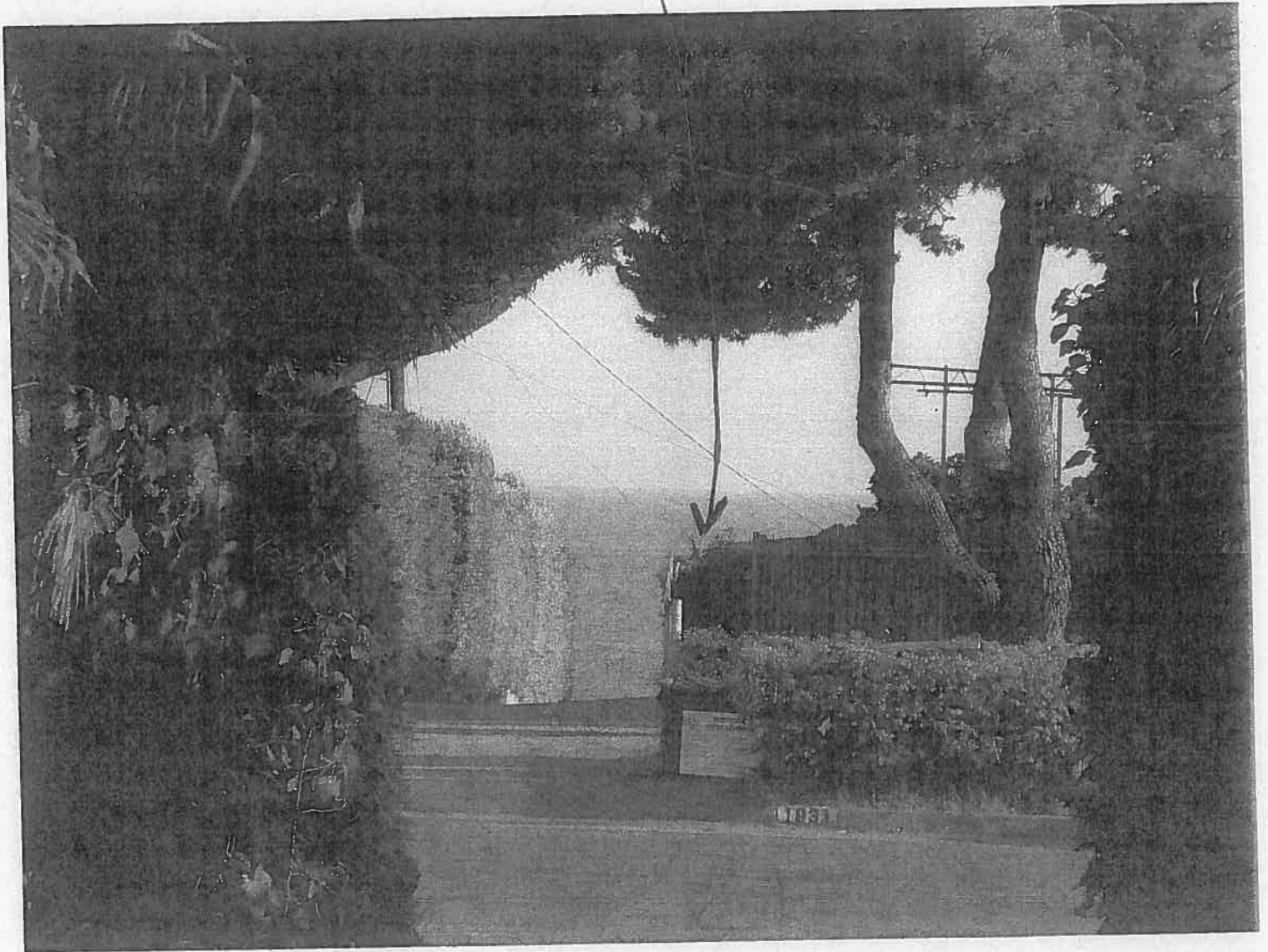
If trees are proposed to be removed, the removal of trees in the front yard setback or in public rights-of-way requires Parks Commission approval, even if everything is being demolished on the site. Approval is required from the Parks Commission prior to application completeness. Please contact Parks & Recreation staff for further information.

B. Engineering Division

1. Please note that all public improvements require either design review approval. Please make a point of identifying the proposed public improvements during your ABR/HLC/SFDB review.
2. Please thoroughly review the Additional Applications Required section of this letter for specific details that will be required when applying for permits. All Applications for Public Works begin at the Public Works counter by filling out a

Attachment Q.

Encroachment on 20-foot ingress/egress Easement (in 2006) also partially obstructed public's ocean views.
(Note: At the Hearing, we will confirm whether or not 2006 Coastal Permit approval process explicitly, knowingly approved location of pool fence within original Easement.



Attachment R:

The applicants' earlier hedges directly rising from the public street defied the then-existing Hedge Ordinance and temporarily blocked the view, during Approvals, of the applicant's 2006 project (new pool with new fence) which encroached upon the property's original 20' driveway easement (the Easement that provides the only access to 2 properties on the Bluff.)



SINGLE FAMILY DESIGN BOARD (SFDB)

A project is subject to Single Family Design Board (SFDB) review if a building permit is required (except for retaining walls or grading) to construct, alter, or add to the exterior of a structure on a lot with one single-family residential unit or related accessory structures IN ANY ZONE and:

SPECIAL DISTRICTS

- ☐ Located in the Mission Area Special Design District (within 1,000 ft. of EPV II) (SBMC§22.69.020.B.1)
- ☐ New development only in the Lower Riviera Survey Area – Bungalow District (SBMC§22.69.070.E). Existing development is reviewed on a case-by-case basis (SBMC§22.69.020.B.1 and SBMC§22.69.070)
- ☐ Located in the Hillside Design District AND the average slope of the lot or building site is 20% or greater; (SBMC§22.69.020.B.2)
- ☐ Located in the Hillside Design District and on any slope, a structural alteration to the existing roof form or re-roof (excluding "like for like" re-roof) (SBMC§22.69.020.B.2)

BUILDING HEIGHT AND FLOOR AREA

- ☐ If the building is taller than one story or taller than 17' in height (measured from natural or finished grade, whichever is lower). (SBMC§22.69.020.C.1, .2 & .3)

Exceptions:

- a) Alteration on the first floor below 17' only.
- b) Proposed construction is one story, under 17' tall, and does not significantly alter a second floor (see illustration examples available at the public Planning and Zoning Counter).
- c) Any combination of a. or b., above.

- ☐ Net floor area of all stories of all buildings on the site (including garages and carports) will exceed 4,000 square feet (SBMC§22.69.020.C.4).
- ☐ Modification to exceed maximum floor area is required. (SBMC§22.69.020.C.5)

PREVIOUS APPROVALS/CONSTRUCTION

- ☐ Design Review was previously required in the past two years (from Certificate of Occupancy); or if the cumulative scope of work from permits in the past two years will trigger design review (SBMC§22.69.020.J)

WALLS AND BALCONIES

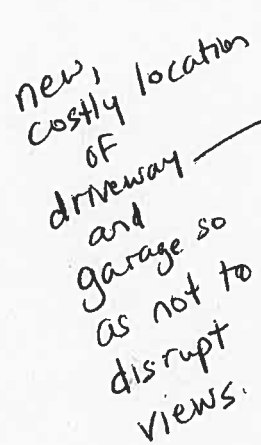
- ☐ Construct, alter, or add a deck or balcony on the second or higher floor (including roof decks) that will be greater than 3' deep or 7' wide (SBMC§22.69.020.C.6)
- ☐ Walls, fences, or gates 6' or greater in height located in any portion of the front yard, excluding those along interior lot lines. (SBMC§22.69.020.C.8)
- ☐ Retaining walls anywhere on a site 6' or greater in height (SBMC§22.69.020.C.7)
- ☐ Retaining walls located on a lot or building site with an average slope of 15% or greater; (SBMC§22.69.020.G.1)
- ☐ Retaining walls located on a lot adjacent to or on a lot that contains an ocean bluff; (SBMC§22.69.020.G.2)
- ☐ Multiple retaining walls with a combined height of 6', that are not separated by either a building or 10' of horizontal distance (SBMC§22.69.020.G.3)

OTHER

- ☐ Installation of a manufactured home, mobile home, or factory built home (SBMC§22.69.020.C.9)
- ☐ Relocation in whole or in part of a single family residential unit (SBMC§22.69.020.C.10)
- ☐ Subdivision grading plans – *in single family zones only* (SBMC§22.69.020.D)
- ☐ Grading on a vacant lot in a single family zone (alone or in combination with other work). (SBMC§22.69.020.E)
- ☐ Grading outside the main building footprint of more than 50 cubic yards in the Hillside Design District or more than 250 cubic yards in other areas. (SBMC§22.69.020.C.11)
- ☐ Vegetation removal permit (SBMC§22.69.020.F)

This application no longer meets this Exception from requiring SFDB review.

special
courtyard,
barbque
area
and
garden
created (if approved)
because of
views



ALL UTILITY CONDUITS (E.G., ELECTRICAL, SERVICE, TELEPHONE SERVICE, AND CABLE TV) MUST BE PLACED UNDERGROUND FROM THEIR POINT OF ENTRY AT THE BUILDING TO THE POINT OF ENTRY ON THE TRANSITION POINT AT THE STRUCTURE. ALL UTILITY CONDUITS MUST BE PLACED UNDERGROUND FROM THE STRUCTURE TO THE FRONT PROPERTY LINE AND WITHIN 4' OF EITHER SIDE OF THE DRIVEWAY.

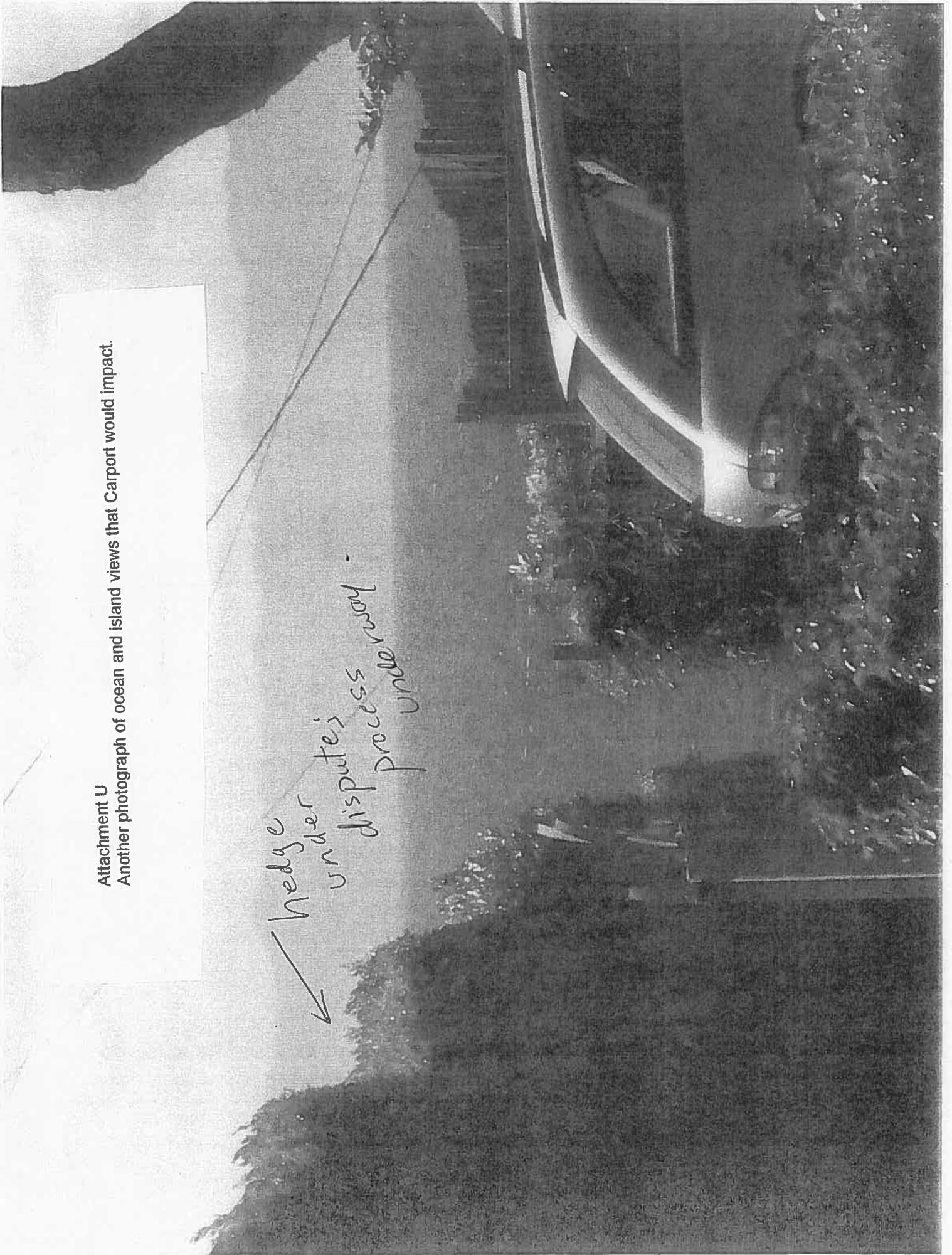
NOTE: REGIONAL DISTRIBUTION APPROXIMATE
AND SUBJECT TO CHANGE WITHOUT NOTICE
STANDARD CATALOG
1-800-8-8-88, 1-800-888-8888

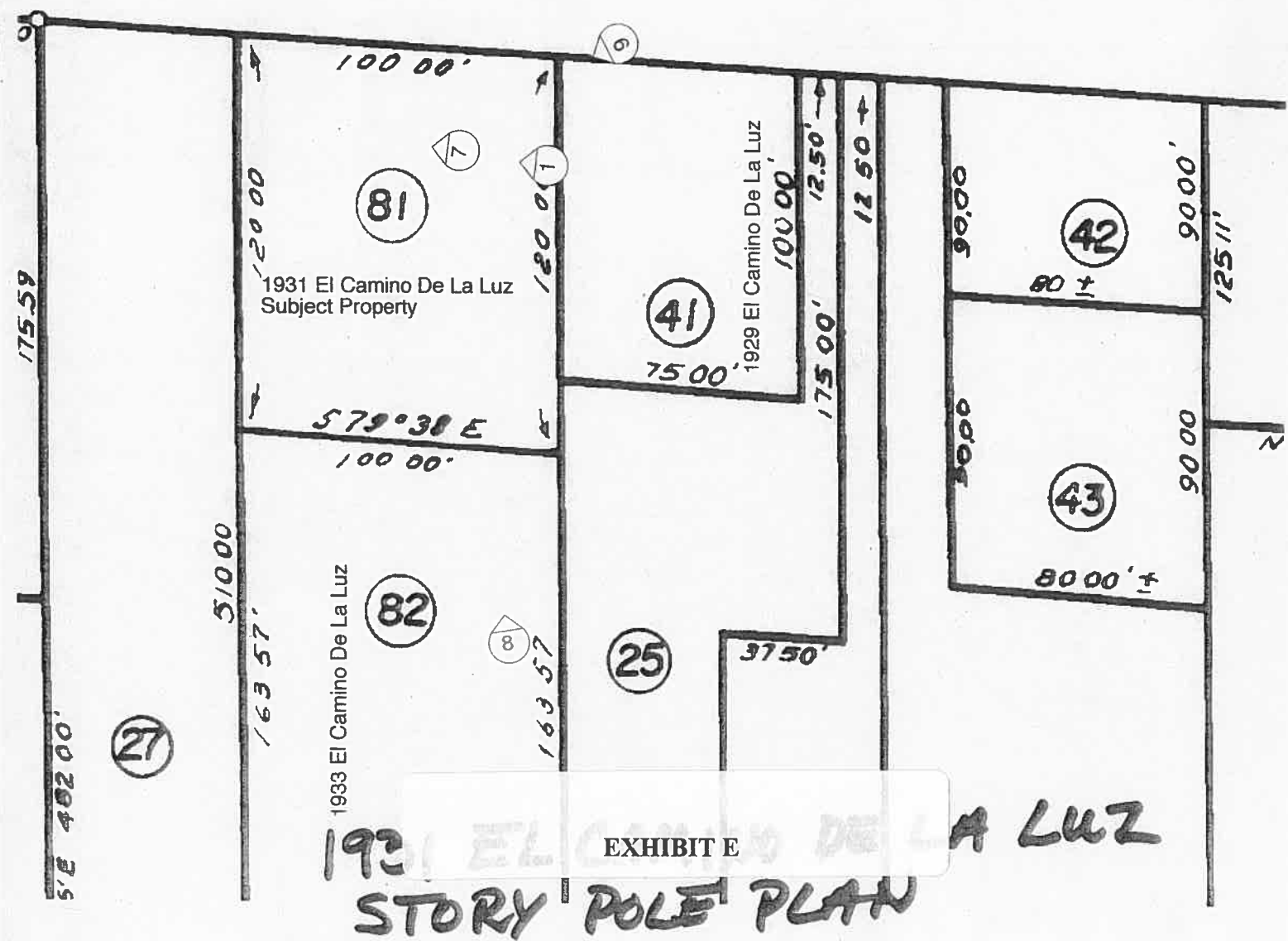
only remaining
ground floor ocean island views

[illegible]

Attachment U
Another photograph of ocean and island views that Carport would impact.

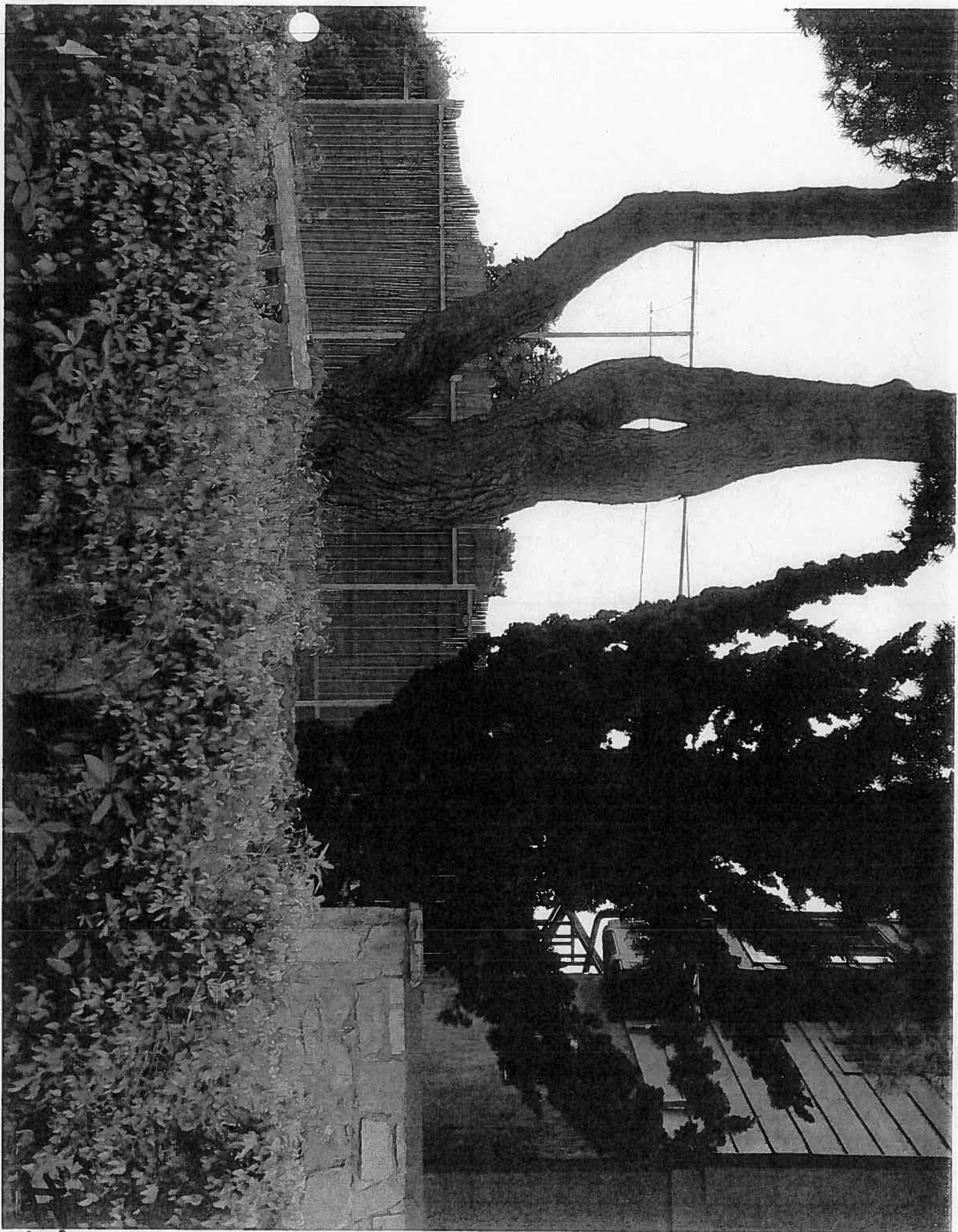
hedge
under
disputes
process way
under way

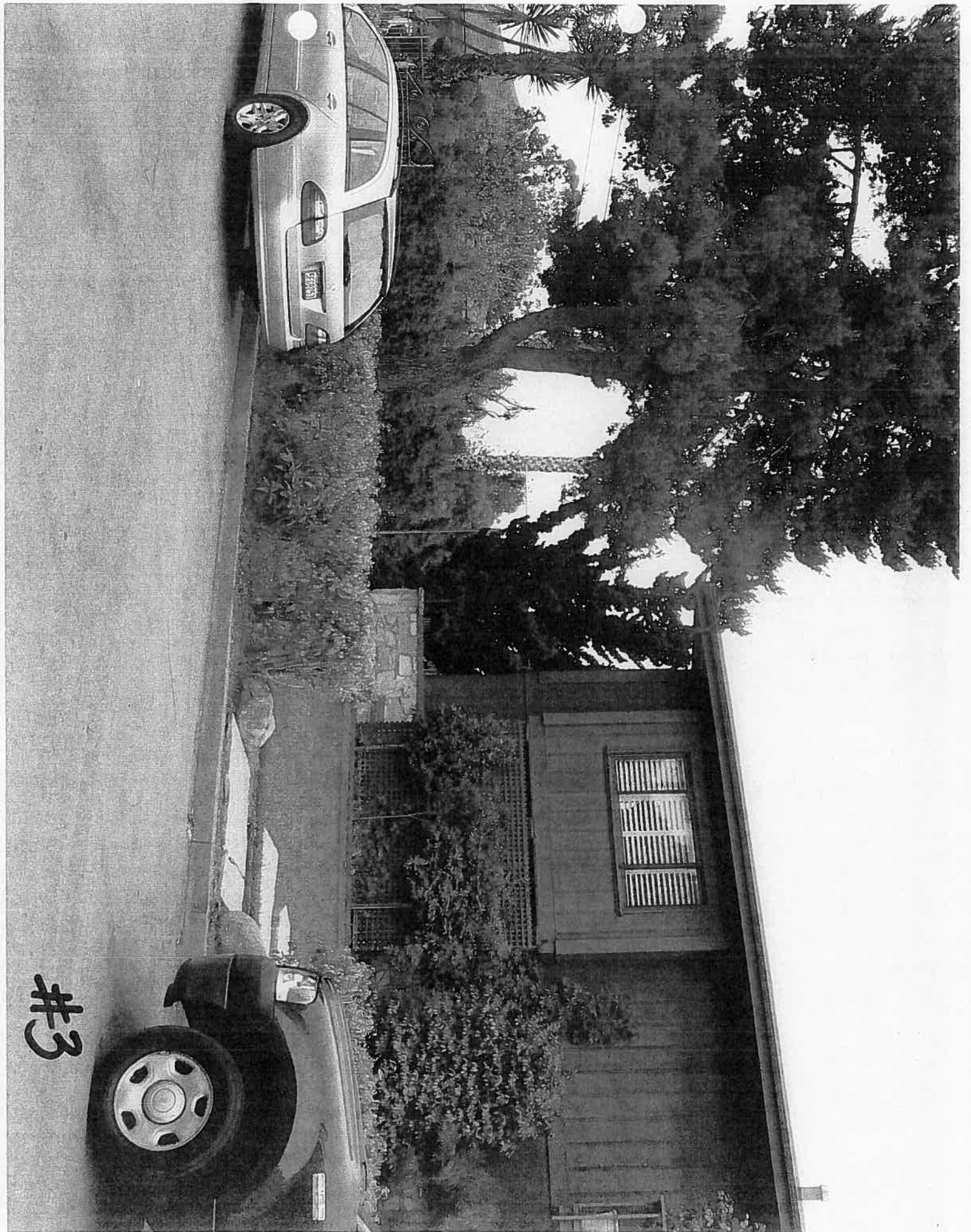


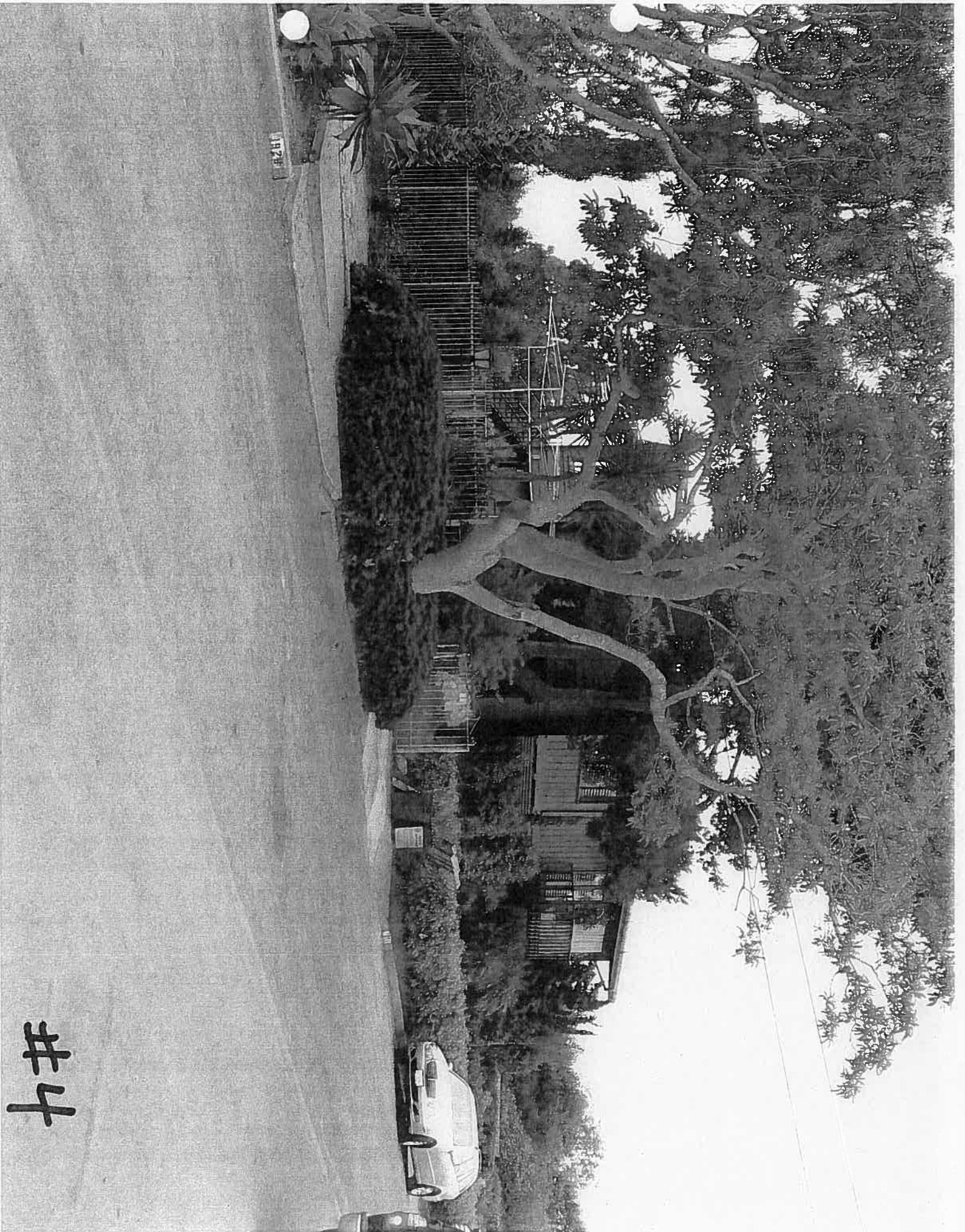




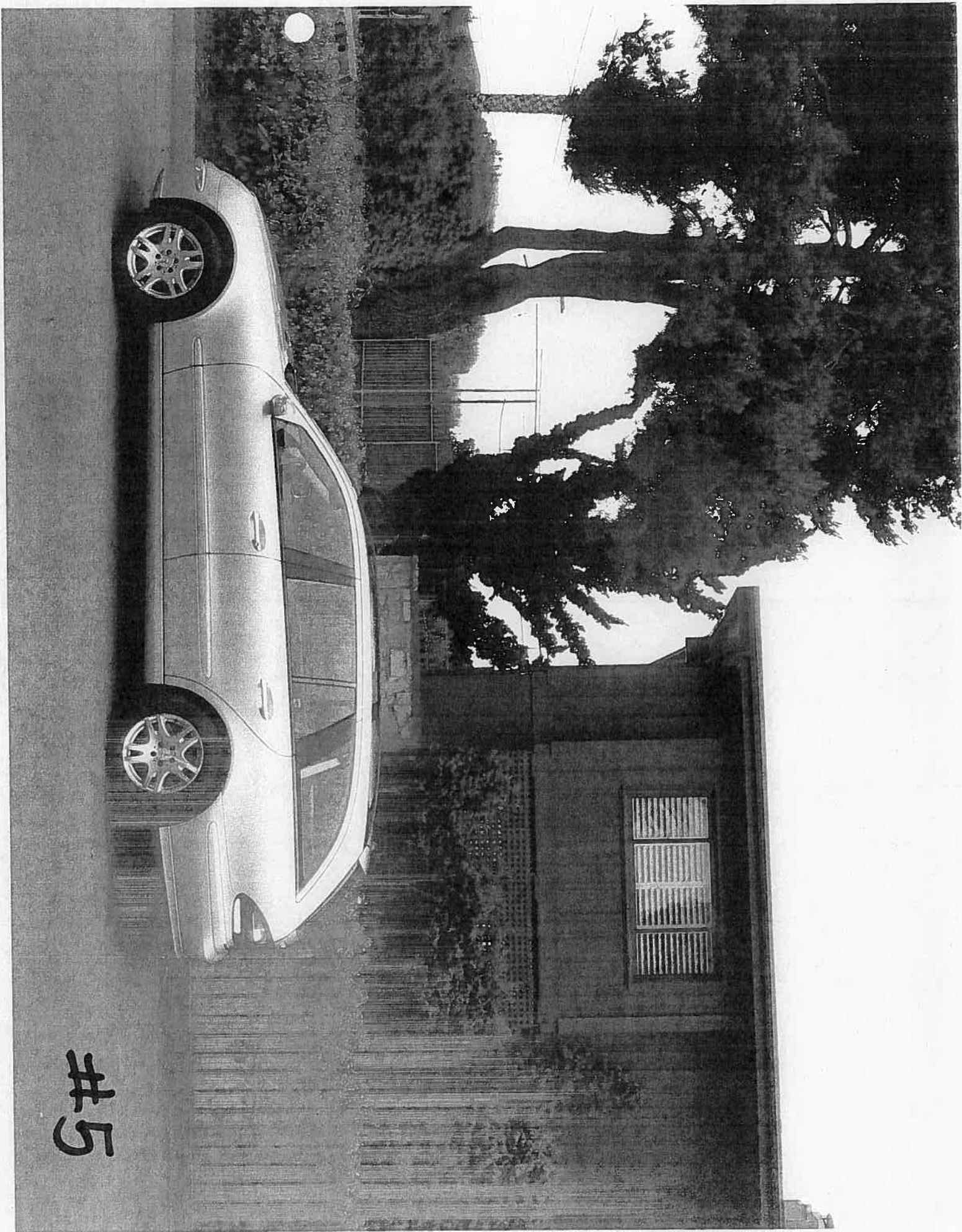
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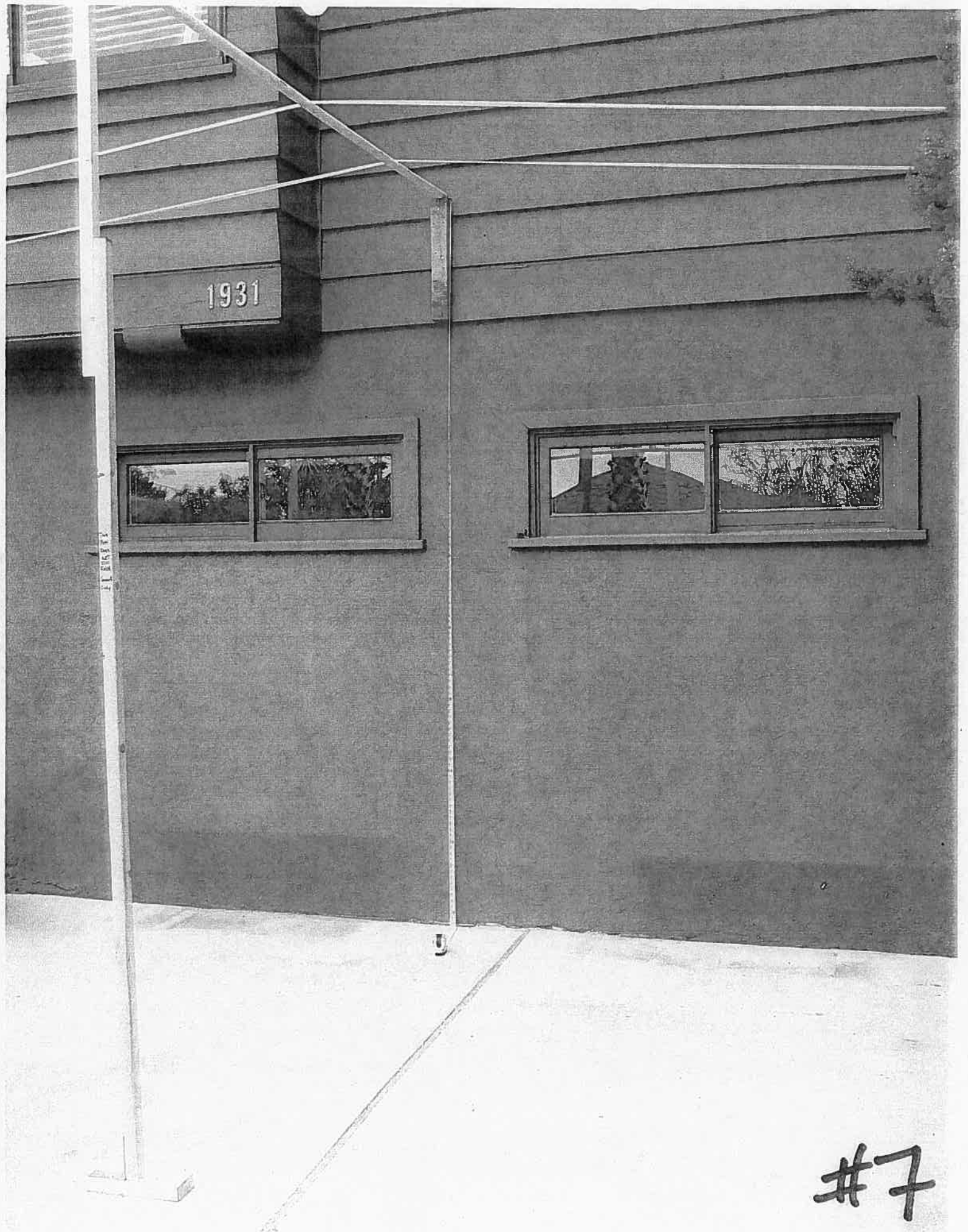
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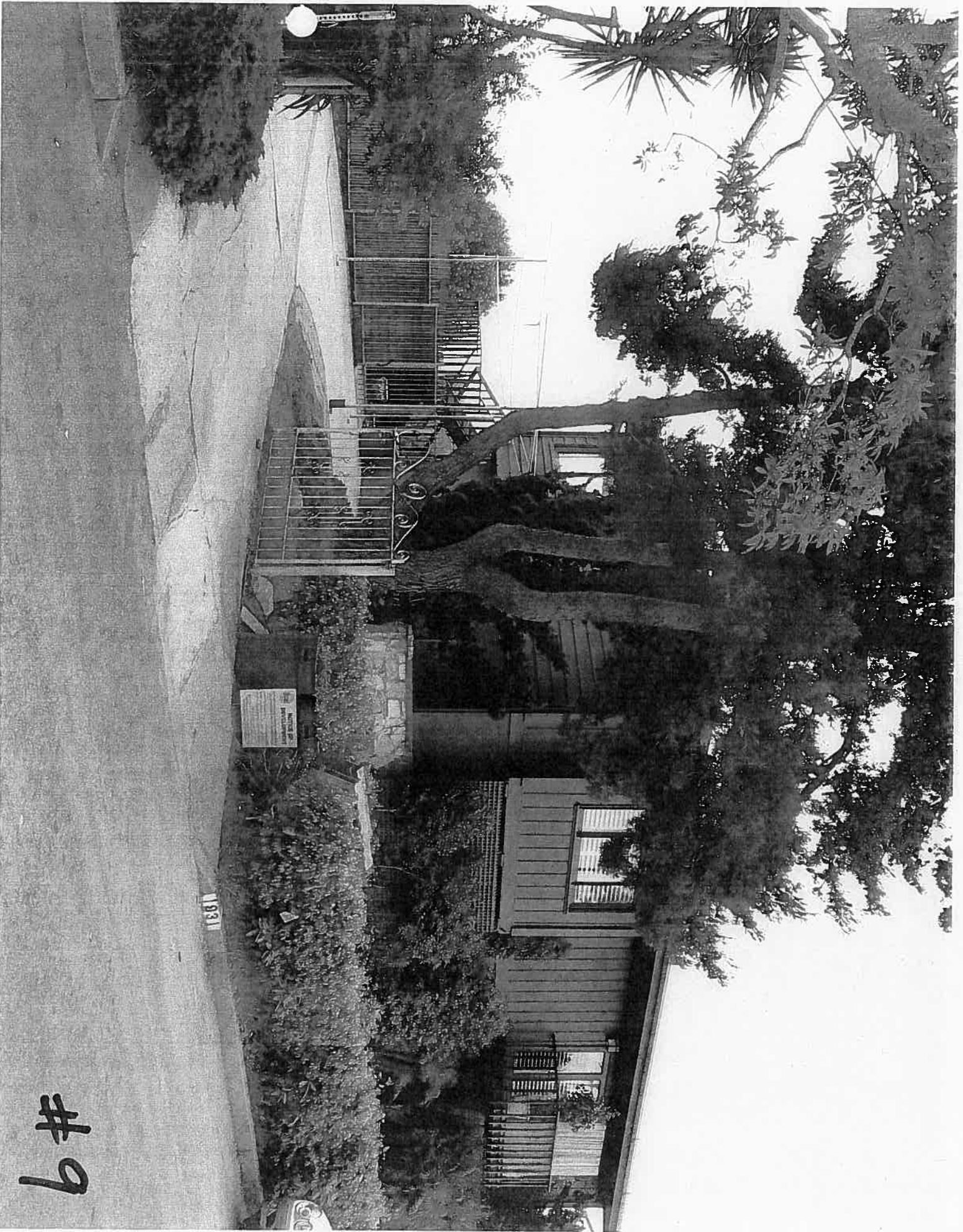
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#7



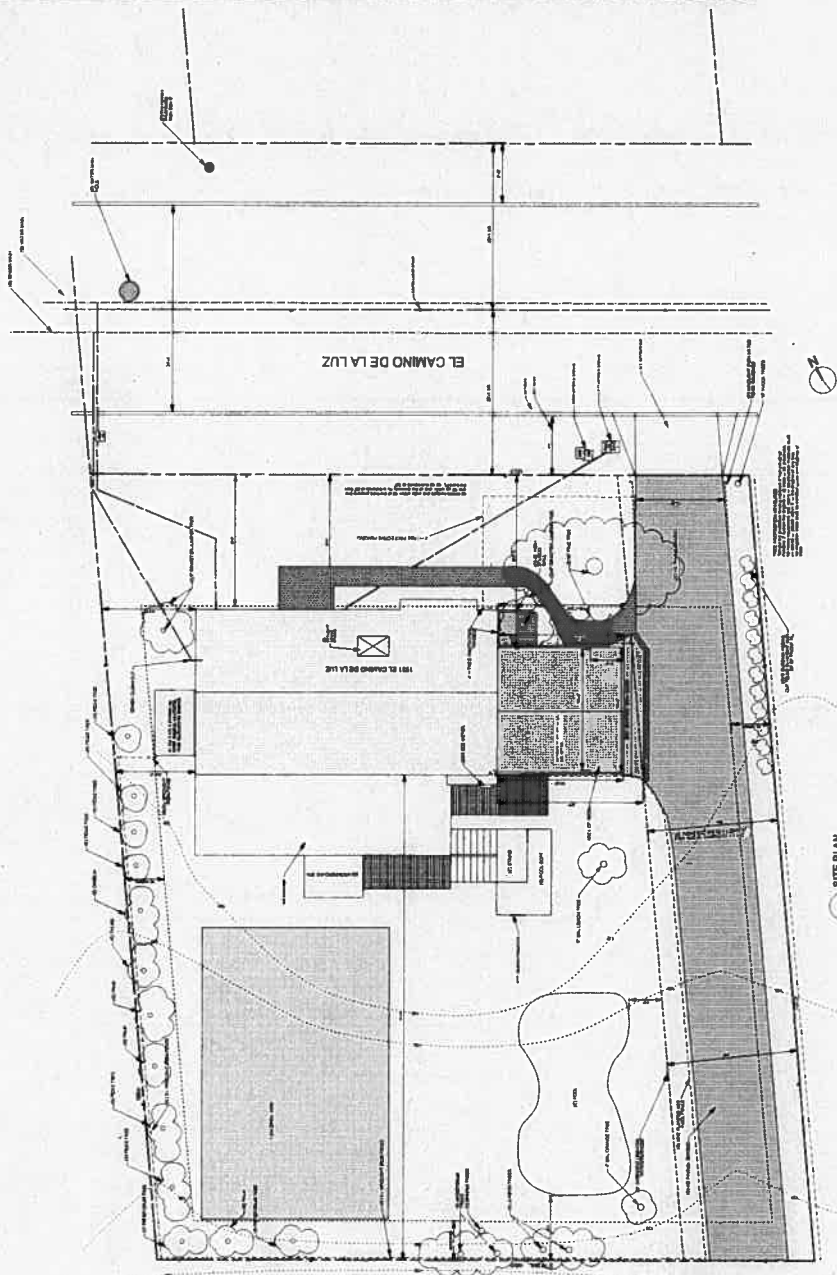
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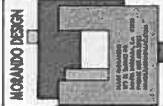


#6

A-1 SITE PLAN, STAIRS
A-2 FLOOR PLANS
A-3 ELEVATIONS 7' PLATE
A-4 ELEVATIONS 8' PLATE

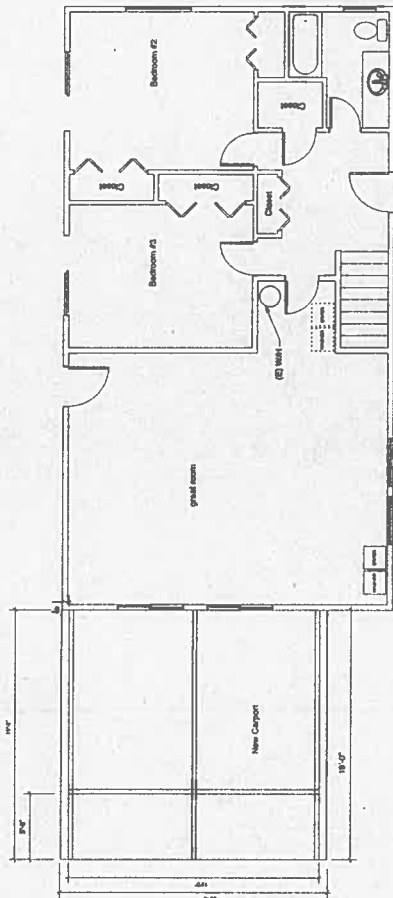
PROJECT DATA

[illegible]**EXHIBIT F**

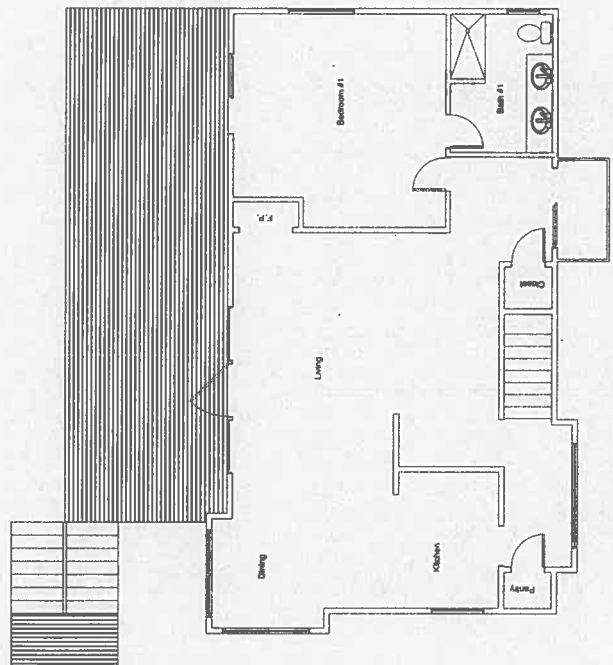


Thomas
Residence

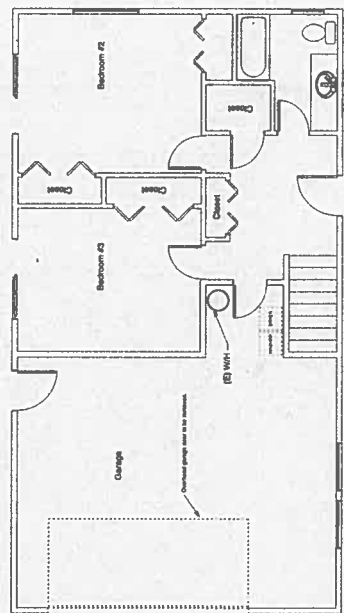
REVISION	DATE	BY	APP'D
A2			
2 of 4 sheets			



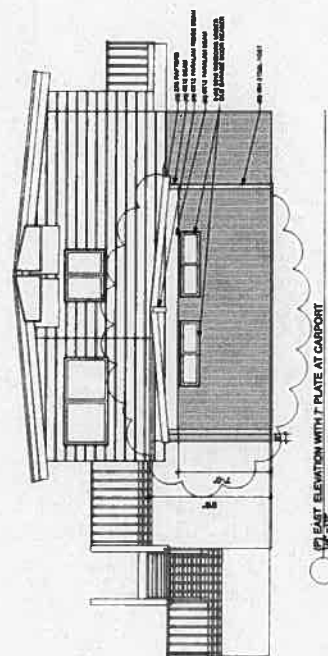
2 1ST FLOOR CARPORT PLAN



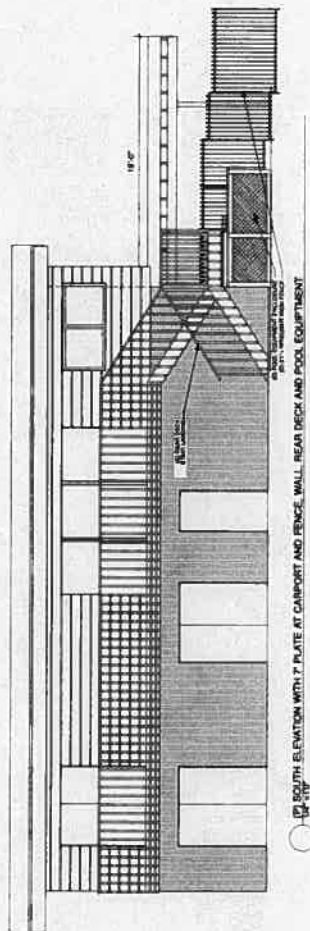
3 2ND FLOOR PLAN



4 1ST FLOOR PLAN

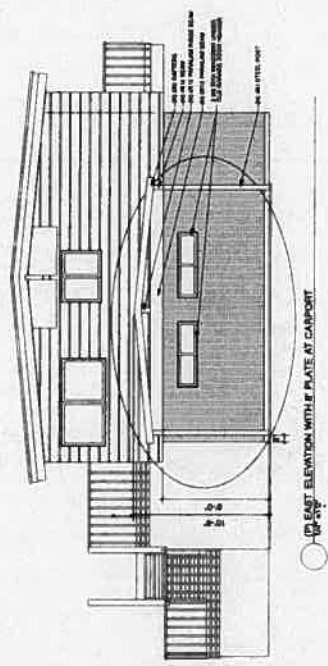
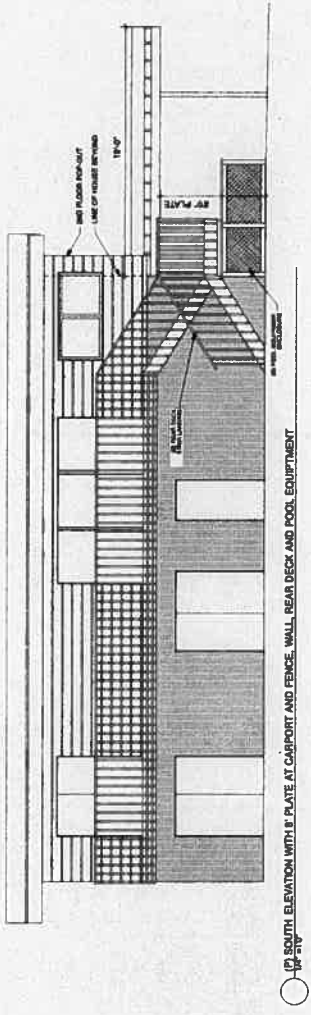
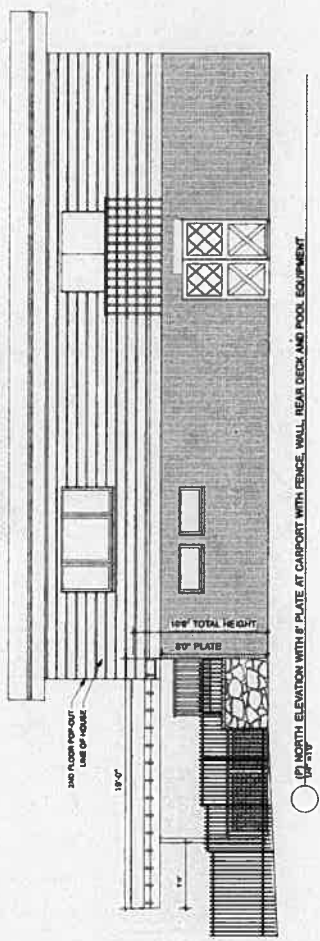


(P) EAST ELEVATION WITH T PLATE AT CARPORT



(P) SOUTH ELEVATION WITH 7' PLATE AT CARPORT

17 SOUTH ELEVATION WITH 7' PLATE AT CARPORT AND FENCE WALL. REAR DECK AND POOL EQUIFTHENT



31 May 2009.

Staff Hearing Officer Secretary
P.O. Box 1990
Santa Barbara, CA 93102-1990

RE: Application of Mark Morando, Architect for Tom Thomas, 1931 El Camino de la Luz, APN 045-100-081, E-3/SD-3 Single Family Residential and Coastal Overlay Zones, General Plan Designation: 5 Units/Acre (MST2009-00039)

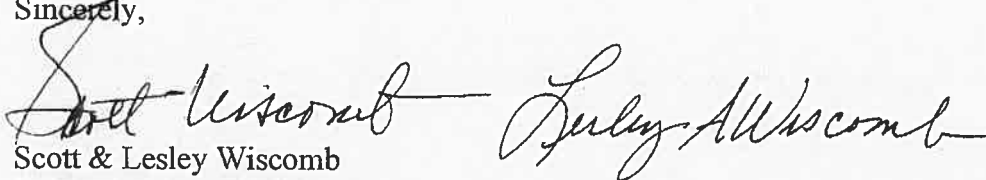
Dear Staff Hearing Officer:

We own a home at 1930 El Camino de la Luz, across the street from the above proposed project. We have reviewed the installed story poles and discussed the design intent with the applicant and the owners.

Although the proposed carport may partially obstruct our view of the ocean from our proposed and approved second story (MST2008-00057), we feel the architect's "open" design addresses our view corridors in the best manner possible. We further believe that the Owners, Tom and Mindy Thomas, and their architect should be commended on their design approach.

Unfortunately, we are not able to attend the hearing on Wednesday, June 3rd, but we fully support the project.

Sincerely,

The block contains two handwritten signatures in cursive. The first signature is 'Scott Wiscomb' and the second is 'Lesley Wiscomb'. They are written in dark ink and are positioned above the printed name of the signatories.

Scott & Lesley Wiscomb
1930 El Camino de la Luz
Ph: 805-845-6036

Cc: Tom and Mindy Thomas
Suzanne Johnson, Assistant Planner, City of Santa Barbara

EXHIBIT G

Dear Staff Hearing Officer

June 2, 2009
 650 Miranda Monte N
 Santa Barbara, Calif
 93109

The people already
 destroyed a nice garage
 conversion because they
 thought they had to.
 Now it a garage now.
 never go back forth;
 too difficult. A person

re: E. 1531 EL
 Camino de la Luz -
 Please read at the
 hearing at 6-3-09
 Thank you

9000 yrs
 for teaching
 down SB.
 Indians
 help & take
 it. Be
 well-

mile tip was removed already.
 It was there 30 years, it should
 never have been taken & ~~there~~

the dump it c - & off Bridgman. Lost
 1000s of Buddhas. Inform people better -

Don't even do the airport. never build it.
 never give the Coastal Reserve because
 they don't need the airport & the rest is gone.
 Be Well. This is important. Be Well
 & Happy. Be Well

Sincerely
 Paula Westbury
 Paula Westbury

RECEIVED
 JUN 02 2009

CITY OF SANTA BARBARA
 PLANNING DIVISION

June 24, 2009

To whom it may concern:

REC'D. 1111 02 2009

I support the Thomas' new carport -

I also support the current location
of the fence along the driveway -

Sincerely -

Barbara J. Ooolittle

1933 El Camino de la Luz
Santa Barbara, CA. 93109

Appeal to PC of

1931 El Camino de La Luz

